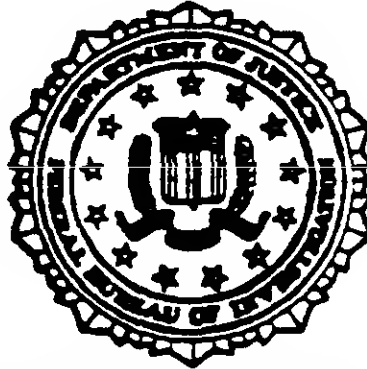


# ***FILE DESCRIPTION***



**SUBJECT**

Thurgood Marshall

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**FILE NO.**

Headquarters file 77-88227

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**VOLUME NO.**

3

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218

F B I

Date: 7/18/65

Transmit the following in \_\_\_\_\_

(Type in plaintext or code)

Via Airtel \_\_\_\_\_

(Priority)

TO: DIRECTOR, FBI

FROM: SAC, WFO (77-72488) (RUC)

THURGOOD MARSHALL  
SPIRe WFO airtel 7/16/65. b7C

The CONGRESSIONAL RECORD - SENATE, dated 9/11/62, pages 19007 through 19055, contains information regarding the nomination of the appointee as U. S. Circuit Judge. This material was reviewed by SA [REDACTED]. It contains the comments of Senators who favored, and of those who opposed, the appointee's nomination and detailed material supporting points of view. The following material was selected as of interest.

At the outset Senator JOHNSTON, identified only as the chairman of the subcommittee of the Committee on the Judiciary, spoke against the nomination stressing that appointee's law practice was limited to practice for the National Association for the Advancement of Colored People (NAACP). JOHNSTON mentioned that the full committee took the matter up and reported to the Senate prior to receiving the testimony of the subcommittee even though notified that the subcommittee had concluded the hearings.

JOHNSTON mentioned that although the appointee had practiced law in New York since 1938, he had never been licensed to practice there. JOHNSTON discussed this as the practice of law without a license. JOHNSTON brought out that the question of such practice was brought up in the subcommittee hearings, and that in response to a specific question as to whether the appointee had practiced in New York, the appointee answered, "I did not." b7C

1 Bureau 2B E 10:21 AM  
1 WFO

77-88227-135  
NOT RECORDED

14 SEP 8 1965

Approved: \_\_\_\_\_

Sent \_\_\_\_\_

M

Per \_\_\_\_\_

79 SEP 15 1965

Special Agent in Charge

JOHNSTON charged that the appointee practiced barratry and maintenance (maintaining, supporting, or promoting the litigation of another). JOHNSTON mentioned a case in the district court of Smith County Texas, Seventh Judicial District - the State of Texas against the NAACP. In that case the judge found that the NAACP and its dominated NAACP Legal Defense and Educational Fund among other things to have practiced barratry contrary to the laws of Texas. JOHNSTON mentioned the appointee's association with these organizations. JOHNSTON mentioned that the appointee was questioned as to an appeal to the above case, and the appointee advised that the case was never appealed.

Mr. THURMOND mentioned a case - NAACP against HARRISON in the Supreme Court of Appeals of the State of Virginia. THURMOND said this court upheld a lower court which had held that the solicitation of business by the NAACP violated Virginia law and canons of legal ethics.

JOHNSTON mentioned the appointee's testimony as to his membership in the NATIONAL LAWYERS GUILD subsequent to the resignation of several who resigned because of the Communist domination. He mentioned that the testimony clearly shows that the appointee was the principal speaker at a rally held by the AMERICAN LEAGUE FOR PEACE AND DEMOCRACY. JOHNSTON identified this organization as a Communist front group and quotes the appointee as having testified, "I might have been naive" in accepting the speaking engagement.

THURMOND mentioned the subversive elements which have infiltrated the NAACP and mentioned a speech in this regard documented from the files of the House Committee on Un-American Activities by Representative E. C. GATHINGS of Arkansas. (previously reviewed and reported)

Mr. HART reported that the chairman of the standing committee of the Federal judiciary of the American Bar Association had furnished information that the standing committee had interviewed, in person or by telephone, more than 30 judges and lawyers, approximately half of that number in the second circuit, to which appointee had been nominated and the remainder from other parts of the country. The interviews included Justices of the Supreme Court of the United States, judges of the U. S. Court of Appeals of five different circuits, judges of U. S. District Courts, two former Attorneys General of the United States, and two former Deputy Attorneys General of the United States. Including among these

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were key advisers on judicial selection to the last four Presidents of the United States. The American Bar Association committee interviewed the appointee. The committee "had no hesitancy whatever in unanimously concluding that Mr. Marshall was well qualified for this appointment."

Senator Keating in speaking for nomination of the appointee said in part that the appointee's nomination has been approved by the interested bar associations. His performance in the court has won him the praise of the Chief Judge. The hours of questioning to which appointee was subject did not develop a single fact casting doubt on his qualifications. "As I have indicated the evidence in this proceeding raised no doubt about Judge Marshall's loyalty."

Among those mentioned in this material as supporting the nomination of the appointee were the following:

The Dean of the Fordham University Law School

The Governor of New York

The American Bar Association (See above)

The Governor of New Jersey

The Association of the Bar of the City of New York

The New York State Bar Association

The above material reports a Yea and Nay vote. There were 14 Yeas, 16 Nays, and 30 not voting. The nomination was confirmed.

F B I

Date: 7/19/65

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via AIRTEL \_\_\_\_\_  
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, NEW YORK (77-26395)

SUBJECT: THURGOOD MARSHALL  
SPI

ReNYtel, 7/16/65.

On 7/19/65, [REDACTED] to Judge MARSHALL advised that he was admitted to practice before the United States Court of Appeals, Second Circuit, on March 20, 1961.

Report follows.

④ - Bureau  
① - New York

(3)

24 1 19 21 PM '65

77-88227-136  
NOT RECORDED

JUL 20 1965

Approved: \_\_\_\_\_

79 SEP 15 1965

Charge \_\_\_\_\_

Sent \_\_\_\_\_

M

Per \_\_\_\_\_

The Attorney General

July 19, 1965

Director, FBI

1 - Mr. Belmont  
1 - Mr. DeLoach  
1 - Mr. Gale  
1 - Mr. Cleveland  
1 - [REDACTED]

THURGOOD MARSHALL  
DEPARTMENTAL APPLICANT  
SOLICITOR GENERAL OF THE UNITED STATES

At the request of the White House on July 18, 1965, an investigation concerning Judge Thurgood Marshall's activities since 1961 has been conducted. The results of a 1961 investigation of Judge Marshall were previously furnished to the Department in 1961. The results of a current name check and [REDACTED] record check were furnished to the Deputy Attorney General on July 18, 1965.

Transmitted herewith is a memorandum summarizing the results of investigation concerning Judge Marshall's activities since 1961. A copy of this memorandum has been furnished to the White House.

During the 1940s Judge Marshall, who was then Special Counsel for the National Association for the Advancement of Colored People, Legal Defense and Educational Fund, Incorporated, made several charges against this Bureau in connection with civil rights cases. One of these charges was that a police officer who had allegedly killed a Negro in Tennessee accompanied FBI Agents during their investigation. This allegation was denied by all Agents working on the case. In another charge it was alleged that the FBI could not locate a certain witness whom Judge Marshall had no difficulty in locating. The FBI discontinued attempts to locate this witness when a United States Attorney ordered the investigation held in abeyance.

On one occasion Judge Marshall alleged that the FBI record in cases involving Negroes was notably one-sided and cited four cases claiming the FBI had been unable to solve them but National Association for the Advancement of Colored People investigators had produced either eyewitnesses or the names of the subjects. In these cases the facts were either presented to Federal Grand Juries which did not indict or the subject was tried and acquitted. In these cases nearly 2,000 interviews were conducted and approximately 100 witnesses appeared before a Federal Grand Jury.

See [REDACTED] Cleveland to Gale, 7-19-65.

Tolson \_\_\_\_\_  
Belmont \_\_\_\_\_  
Mohr \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Cooper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

MAIL ROOM ☐ TELETYPE UNIT ☐



## **The Attorney General**

On another occasion Judge Marshall charged misconduct on the part of Special Agents of the FBI in cases involving Negroes and during interviews with Negroes. Judge Marshall was requested to supply details of the alleged misconduct in order that immediate administrative inquiry could be made and he never answered the request.

### **Enclosure**

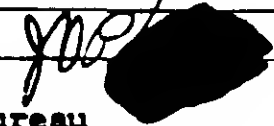

1 - The Deputy Attorney General - Enclosure

## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>WASHINGTON FIELD</b>	OFFICE OF ORIGIN <b>BUREAU</b>	DATE <b>7/16/65</b>	INVESTIGATIVE PERIOD <b>7/16/65</b>
TITLE OF CASE  <b>THURGOOD MARSHALL</b>		REPORT MADE BY 	TYPE 
		CHARACTER OF CASE  <b>SPI</b>	<b>b7C</b>

REFERENCE: Bureau telephone call 7/16/65.

- P -

APPROVED 	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: <b>① Bureau</b> <b>1 - WFO (77-72488)</b>		<b>77-88227-138</b>	
		<b>NOT RECORDED</b>	
		<b>14 SEP 8 1965</b>	
			
DISSEMINATION RECORD OF ATTACHED REPORT		NOTATIONS	
AGENCY		<b>26 8 1965 W.H.P.</b>	
REQUEST RECD.		<b>DO NOT REPLY BY MAIL</b>	
DATE FORW.			
HOW FORW.			
BY	<b>50 SEP 15 1965</b>		
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ADMINISTRATIVE

Records of the Internal Security Sub Committee, Senate Committee on the Judiciary, were reported in instant report as containing no additional pertinent information. It is noted, however, that these records show that the appointee is mentioned in the following issues of the Congressional Record:

September 11, 1962, pages 17916 through 17950

July 29, 1963, pages A 4785 through A4815.

The Congressional Record for 7/29/63, Appendix Pages A 4785 through A 4815 were reviewed on 7/16/65. These pages contained the extension of remarks of Congressman E. C. GATHINGS of Arkansas of 7/29/63, in which he referred to a previous speech of 2/23/56. He made specific mention to the appointee on Page A 4814 and the information which he gave was not additionally pertinent. It represented material which he had obtained from HCUA.

LEADSWASHINGTON FIELDAT WASHINGTON, D.C.

Will report results of review of the Congressional Record for 9/11/62, and set out appropriate leads.

*State Security, outstanding.*

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b7c

Report of:

Date:

7/15/65

Office: Washington, D.C.

Field Office File #: 77-72488

Bureau File #:

Title:

THURGOOD MARSHALL

Character:

SPECIAL INQUIRY

Synopsis:

White House records show nomination as Solicitor General. Department of Justice records contained no additional pertinent information. OPF reviewed, U. S. Courts, and employment record set forth. Service as a Grantee by Department of State set out. Senator ROBERT F. KENNEDY advised appointee by reputation has done a good job and he has no adverse comments. No additional pertinent information CIA or HCUA. Bar records checked. Passport records set out. No additional pertinent information Internal Security Subcommittee. No additional pertinent information CSC.

- P -

DETAILS: AT WASHINGTON, D.C.

b7c

White House Office

On July 16, 1965, [REDACTED] advised SA [REDACTED] that the files contained the following information:

4/22/61:

Appointed Personal Representative of the President with the rank of Special Ambassador to attend ceremonies incident of the celebration of the independence of Sierra Leone, within the British Commonwealth scheduled to be held at Freetown beginning April 24, 1961.

10/5/61:

Recess appointment, U. S. Circuit Judge for the Second Circuit.

1/15/62:

Nominated.

9/11/62:

Confirmed.

9/14/62:

Commission dated.

9/14/62:

Commission signed by the President, U. S. Circuit Judge for the Second Circuit.

7/14/65:

Nominated to be Solicitor General of the United States.

The files contained no additional pertinent information.

[REDACTED] the White House Office, advised SA [REDACTED] that her files contain no record of the appointee.

b7c  
1/20/88

Department of Justice

On July 16, 1965, SA [REDACTED] reviewed the appointee's file at the Office of the Deputy Attorney General, U. S. Department of Justice. It showed he is currently under consideration for the position of Solicitor General of the U. S., U. S. Department of Justice, but has not entered on duty. No additional pertinent information was contained in the file.

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United States Courts

On July 16, 1965, SA [REDACTED] reviewed the official personnel file concerning THURGOOD MARSHALL maintained at the Personnel Division, Administrative Office of the U. S. Courts, Washington, D. C., which reflects he received a commission on October 5, 1961, signed by the then President of the United States, JOHN F. KENNEDY, as U. S. Circuit Judge, Second Circuit, and he was sworn in on October 23, 1961, as Judge, U. S. Court of Appeals, Second Circuit, at \$25,000 per annum with duty station at New York City, where he is presently employed.

This file reflects his birth as July 2, 1908, at Baltimore, Maryland.

[REDACTED]

No additional pertinent information appeared therein.

Department of State

On July 16, 1965, [REDACTED] Reports Officer, Bureau of Educational and Cultural Affairs, advised that the records of her office show that the appointee was a Grantee. He was given a grant as a United States Specialist, Number 3-20330, for the period May 28, 1963, through July 29, 1963. His grant covered travel in Kenya, Tanganyika, and Uganda. His purpose was to discuss human rights and the law in the United States. b7c

[REDACTED] explained that the records show MARSHALL's employment as a United States Judge.

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31 COMMENTS OF UNITED STATES SENATORS

On July 16, 1965, ROBERT F. KENNEDY, United States Senator, New York, advised SA [REDACTED] that he has known the appointee by reputation only for a number of years and has had no personal or social contact with him. He has heard more of the appointee's reputation since the appointee has served as a judge in New York. KENNEDY understands that the appointee has done a good job, that he knows nothing adverse as to the appointee's character, associates, reputation or loyalty. He has no adverse comments regarding the appointee's appointment to the position of Solicitor General.

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MISCELLANECUS

On July 16, 1965, S [REDACTED] caused a check to be made of the records of the Central Intelligence Agency and no additional pertinent information was located for the appointee.

On July 16, 1965, the records of the House Committee on Un-American Activities were reviewed by IC [REDACTED] and no additional pertinent information was located concerning the appointee.

On July 16, 1965, IC [REDACTED] caused a search to be made of the files of the following organizations concerning bar membership and no record was found for the appointee:

Committee on Admissions and Grievances, U.S.  
District Court for the District of Columbia (USDCDC)  
Lawyers Register, USDCDC  
District of Columbia Bar Association  
Federal Bar Association

The records of the Supreme Court of the U.S. disclosed he was admitted to practice before this court on December 8, 1939, and is in good standing.

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WFO 77-72488

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1

IC [REDACTED] on July 16, 1965, reviewed the files of the Bureau of Personnel Investigations, Civil Service Commission, and no additional pertinent information was noted therein regarding THURGOOD MARSHALL.

b7C

1

On July 16, 1965, IC [REDACTED] reviewed the appointee's file at the Passport Office, Department of State, which listed his birth as July 2, 1908, at Baltimore, Maryland.

This file is being brought up to date since reviewed on September 19, 1961, by IC [REDACTED] FBI.

MARSHALL was issued Passport Number D 455600 on June 18, 1963, for a three weeks trip to Kenya, Africa, Tanganyika, and Uganda. He listed his purpose of trip as "State Department Grantee."

He indicated that he was last married on December 17, 1955, to CECILIA SUYAT MARSHALL, [REDACTED] a United States citizen, and that the marriage has not been terminated. He stated that he was previously married on September 4, 1929, to VIVIEN BUREY, born February, 1911, at Philadelphia, Pennsylvania, and that the marriage was terminated by death on February, 1955. He listed his parents as WILLIAM C., born (date not listed) at Baltimore, Maryland, and NORMA A. WILLIAMS, born (date not listed) at Baltimore, Maryland.

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WFO 77-72488  
[REDACTED]

b7C

Internal Security Sub Committee  
Senate Committee on the Judiciary

On July 17, 1965, [REDACTED] Chief Investigator, advised SA [REDACTED] that the records of this sub committee contain no additional pertinent information concerning the appointee.



## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>CHICAGO</b>	OFFICE OF ORIGIN <b>BUREAU</b>	DATE <b>7/16/65</b>	INVESTIGATIVE PERIOD <b>7/16/65</b>
TITLE OF CASE  <b>THURGOOD MARSHALL</b>		REPORT MADE BY 	b7C
		CHARACTER OF CASE  <b>DAPLI</b>	

REFERENCES: Bureau telephone call to Chicago 7/16/65.  
Chicago teletype to Director 7/16/65.

- RUC -

- A\* -  
COVER PAGE

APPROVED 	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE:  ③ - Bureau (77-88227) (AM) 1 - Chicago (77-12343)		77-88227-139 NOT RECORDED 14 JUL 19 1965
Dissemination Record of Attached Report		Notations
Agency		b7C  A
Request Recd.		
Date Fwd.		
How Fwd.		
By		

50 SEP 16 1965

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: [REDACTED]  
Date: 7/16/65

Office: CHICAGO

Field Office File #: 77-12343

Bureau File #: 77-88227

Title: THURGOOD MARSHALL

Character: DEPARTMENTAL APPLICANT

Synopsis: Applicant current member in good standing of American Bar Association and National Bar Association, Chicago. No grievances noted.

- RUC -

CG 77-12343

**DETAILS:**

**Affiliations**

**American Bar Association (ABA)**  
1155 East 60th Street  
Chicago, Illinois

[REDACTED] ABA, advised from records on July 16, 1965, that the applicant was elected to the ABA on April 24, 1964. He is a current member in good standing and there are no grievances listed against him. His birth is shown as July 2, 1908 (place not listed), and he was admitted to the Bar in 1933 in the State of Maryland. His address is recorded as U. S. Court of Appeals, Foley Square, New York City.

[REDACTED] advised that she could not suggest anyone with the national organization of the ABA, Chicago, who might be acquainted with the applicant.



**National Bar Association (NBA)**  
309 East 47th Street  
Chicago, Illinois

b7c


[REDACTED] NBA, advised on July 16, 1965, that the applicant is a current member of the NBA, exact date unknown. He stated there is no unfavorable information or grievances concerning the applicant.

[REDACTED] advised that he is not personally acquainted with the applicant but based on "hearsay" the application is an individual of excellent moral character, a loyal American citizen and one whose associates are people of excellent reputation.

## FEDERAL BUREAU OF INVESTIGATION

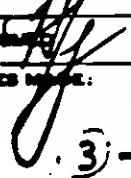

REPORTING OFFICE <b>BOSTON</b>	OFFICE OF ORIGIN <b>BUREAU</b>	DATE <b>7/19/65</b>	INVESTIGATIVE PERIOD <b>7/16 &amp; 17/65</b>
TITLE OF CASE  <b>THURGOOD MARSHALL</b>		REPORT MADE BY 	TYPE 
		CHARACTER OF CASE  <b>SPI</b>	

b7C

REFERENCES: New York teletype to Bureau and Boston, 7/16/65;  
 Boston teletype to Bureau, 7/16/65;  
 Boston telephone call to New York, 7/16/65;  
 Report of SA  dated 9/15/61  
 at Boston.

- RUC -

- A\* -  
 COVER PAGE

APPROVED 		SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
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			NOTED JUL 21 1965	b7C
Dissemination Record of Attached Report			Notations 	
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By	30	SEP 1 1965		

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UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b7c

Report of:  
Date:[REDACTED]  
7/19/65

Office: Boston, Massachusetts

Field Office File #:

77-10147

Bureau File #: 77-88227

Title:

THURGOOD MARSHALL

Character:

SPECIAL INQUIRY

Synopsis:

Acquaintance [REDACTED] recommends.  
Acquaintance [REDACTED] and  
associate [REDACTED] not located.

- RUC -

b7c

DETAILS:

Investigation at Vineyard Haven, Massachusetts, was conducted by SA [REDACTED] at Kennebunkport, Maine, by SA [REDACTED] and at Boston, Massachusetts, by SA [REDACTED]

ACQUAINTANCES

Acquaintance [REDACTED]

New York City, and [REDACTED]

[REDACTED] Massachusetts, advised he has known appointee well both socially and professionally for the past ten years.

He recommended appointee unconditionally for the position of Solicitor General. He considers appointee a very able, experienced attorney and a man of high principles. He said appointee is of unquestioned loyalty to the United States and a man of excellent character, reputation, and associates.

1301



BS 77-10147

On July 17, 1965, [REDACTED]  
[REDACTED] Kennebunkport, Maine, advised that he is the  
[REDACTED] acquaintance [REDACTED] and  
[REDACTED] is in Europe and not available for interview.

b7C

ASSOCIATE

On July 16, 1965, [REDACTED]  
[REDACTED] Boston, Massachusetts, was contacted in  
an effort to reach [REDACTED] associate of appointee.  
[REDACTED] said if [REDACTED] was in town, he had not contacted him,  
and he also determined [REDACTED] had not been in touch with  
local National Association for the Advancement of Colored  
People office. He stated he would advise this office if he  
ascertained [REDACTED] whereabouts.

1302

# FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>ALBANY</b>	OFFICE OF ORIGIN <b>BUREAU</b>	DATE <b>7/19/65</b>	INVESTIGATIVE PERIOD <b>7/16/65</b>
TITLE OF CASE  <b>THURGOOD MARSHALL</b>		REPORT MADE BY <b>SA [REDACTED]</b>	TYPED BY <b>[REDACTED]</b>
		CHARACTER OF CASE  <b>SPI</b> <span style="float: right;"><b>b7C</b></span>	

**REFERENCE:**

New York teletype to Bureau 7/16/65.  
Albany teletype 7/16/65:  
- RUC -

**b7C**

(A\* COVER PAGE)

<p>APPROVED <i>[Signature]</i></p> <p>SPECIAL AGENT IN CHARGE</p> <p>COPIES MADE:</p> <p>1 - Bureau</p> <p>1 - Albany (161-612)</p>	<p style="text-align: center;">DO NOT WRITE IN SPACES BELOW</p> <div style="border: 1px solid black; padding: 5px; margin: 5px;"> <p style="font-size: 1.5em; margin: 0;">77-88227-141</p> <p style="margin: 0;">NOT RECORDED</p> <p style="margin: 0;">15 JUL 21 1965</p> </div> <p style="margin-top: 10px;"><b>[REDACTED]</b></p>
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DISSEMINATION RECORD OF ATTACHED REPORT				
AGENCY	REQUEST REC'D	DATE FORW.	HOW FORW.	BY

NOTATION

JUL 8 11 20 AM '65

HOW INJECT FOR REC'D

1303

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:  
Date:

SA [REDACTED]  
July 19, 1965

Office: ALBANY

b7C

Field Office File No.:

AL 161-612

Bureau File No.:

Title:

THURGOOD MARSHALL

Character:

SPECIAL INQUIRY

Synopsis:

[REDACTED] Vermont, US Circuit Court of Appeals, New York City, NY, advised he is not acquainted with Mr. MARSHALL and knows nothing of his ability or activities and therefore, could not recommend him one way or the other.

- RUC -

b7C

DETAILS:

[REDACTED] VERMONT

[REDACTED] Vermont, [REDACTED] United States Circuit Court of Appeals, New York City, New York, on July 16, 1965, advised that [REDACTED] prior to the time that Mr. THURGOOD MARSHALL was made a judge and all he knows about him is what he has read in the newspapers. He said he never met Mr. MARSHALL and has never heard any adverse criticism from former colleagues concerning him. He said he knows nothing of his ability or activities and, therefore, would be unable to recommend him one way or the other for a confidential position with the Government

- 1 -

304


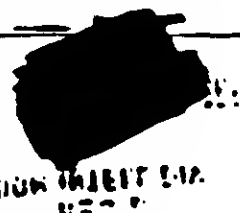
## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>NEW HAVEN</b>	OFFICE OF ORIGIN <b>BUREAU</b>	DATE <b>7/20/65</b>	INVESTIGATIVE PERIOD <b>7/16 - 19/65</b>
TITLE OF CASE  <b>THURGOOD MARSHALL</b>		REPORT MADE BY <b>SA [REDACTED]</b>	TYPE <b>[REDACTED]</b>
		CHARACTER OF CASE  <b>SPECIAL INQUIRY</b>	

REFERENCE

New York telephone call dated 7/16/65.  
New Haven teletype dated 7/17/65.

- RUC -

APPROVED 	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE:  2 - Bureau 1 - New Haven (161-659)		77-20227-42	
		NOT RECORDED	
		JUL 21 1965	
DISSEMINATION RECORD OF ATTACHED REPORT		NOTATIONS	
AGENCY		 NON-INDEXED REC'D	
REQUEST REC'D			
DATE FWD.			
HOW FWD.			
BY			

JUL 21 1965

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b7c

Report of: SA [REDACTED]  
Date: July 20, 1965

Office: NEW HAVEN

Field Office File #: 161-659

Bureau File #:

Title: THURGOOD MARSHALL

Character: SPECIAL INQUIRY

Synopsis: Judges of the Second Circuit, United States Court of Appeals residing in Connecticut, all recommend MARSHALL as to ability, sincerity, impartiality, reputation and for position as Solicitor General of the United States.

- RUC -

DETAILS:ASSOCIATES

1306

b7C

On July 16, 1965, [REDACTED], U.S. Court of Appeals for the Second Circuit, advised as follows:

[REDACTED] has been acquainted professionally with MARSHALL since the fall of 1961. He has found MARSHALL to be respectable, reliable, responsible, trustworthy, modest, sincere, and a devoted family man who possesses a good sense of humor. MARSHALL is the possessor of a bright quick mind, and is well liked by his fellow judges.

[REDACTED] regards MARSHALL as a person of excellent character, morale and reputation.

MARSHALL's associates who are known to [REDACTED] are responsible individuals and MARSHALL has used good judgment in the choice of associates. [REDACTED] never has had any reason to question MARSHALL's loyalty to the United States.

Because of his interest in civil rights and time taken on behalf of the U.S. Government, MARSHALL has not devoted as much time to the business of the U.S. Court of Appeals for the Second District as have other judges. He is not as well trained as a judge as are other members of the Court and is less useful because of this. He has had a more narrow experience as a lawyer than other judges of the court. b7C

MARSHALL's previous background and experience have given him a somewhat narrower view than other judges of the court. He has strong views on civil rights and is not as balanced and impartial in this field as are other judges of the court. According to [REDACTED] MARSHALL is a less able judge than other members of the court.

[REDACTED] furnished the above information to SA [REDACTED]

1307

b7c

On July 16, 1965, [REDACTED]  
U. S. Court of Appeals, Second Circuit, residing at [REDACTED]  
[REDACTED] advised SA [REDACTED]  
[REDACTED] that he has known MARSHALL for the past three  
years as an associate. He noted that the appointee,  
according to the press has been appointed U.S. Solicitor  
General.

He stated he knows no reason why the appointee would not  
do a fine job at this position. He pointed out that the  
appointee's background is radically different than the  
backgrounds of previous men who have held this position.  
He explained that the appointee all this life has been a  
protagonist for the NAACP (National Association for the  
Advancement of Colored People), and the bulk of his  
experience has been pleading the cause of the colored  
people. He advised that appointee has done a fine job  
and possesses all the necessary qualifications to present  
cases to the Supreme Court of the United States with ability  
and as he sees them. He stated appointee is a person of the  
highest character and reputation and there is no doubt as to  
his loyalty to the United States.

He added appointee is a thoroughly practical fellow who  
has had a broad experience with people. He noted appointee  
grew up the hard way and knows what life is all about. He  
concluded by stating the appointee is exceedingly well  
qualified to present any case in court and he has confidence  
that the appointee will do a good job as U. S. Solicitor  
General.

1303

NH 161-859



b7c

On July 16, 1965, retired United States Judge THOMAS W. SWAN, Second Circuit Court of Appeals, River Road, Guilford, Connecticut, advised [REDACTED] he has known MARSHALL as a fellow judge and sat on bench with him. He regards MARSHALL as an able, sincere and impartial person. He believes MARSHALL to be honest man of dedicated convictions of equality for all. He endorses MARSHALL as Solicitor General.

1300



# FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>NEW YORK</b>	OFFICE OF ORIGIN <b>BUREAU</b>	DATE <b>7/20/65</b>	INVESTIGATIVE PERIOD <b>7/26/65 - 7/29/65</b>
TITLE OF CASE  <b>THURGOOD MARSHALL</b>		REPORT MADE BY 	TYPED BY 
		CHARACTER OF CASE  <b>SPECIAL INQUIRY</b>	<b>b7C</b>

REFERENCE:

New York teletype to the Bureau, dated 7/16/65.



- RUC -

ADMINISTRATIVE

Informants in this report are being designated in accordance with reports previously submitted concerning MARSHALL in 1961.

The article entitled, "New Vista Given To Episcopalians", which appeared in the October 24 issue of the "New York Times" mentioned in this report was previously furnished to the Bureau by airtel dated 7/16/65.

**b7C**

APPROVED 	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE		77-88227-143	
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**50 SEP 16 1965**

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INFORMANTS

Identity of Source

[REDACTED]

File Number Where Located

Instant report.

[REDACTED]

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COVER PAGE

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UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to:

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Report of:

Date:

[REDACTED]  
7/20/65

Office: New York, New York

Field Office File #: 77-26395

Bureau File #:

Title: THURGOOD MARSHALL

Character: SPECIAL INQUIRY

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**Synopsis:** Appointee's colleagues on the Federal bench recommend him highly. Other associates including New York State judge, attorneys and others also recommend. Appointee has favorable credit rating and no arrest record located. [REDACTED] advised that [REDACTED] stated that **MARTIN SOBELL** would have a better chance in court in view of the statement by Judge **MARSHALL** to the effect that he would give **ETHEL ROSENBERG** a new trial if she appeared in his court. Appointee reported to be member of the Association of the Bar of New York City and New York County Lawyers Association. Confidential informants contacted with negative results.

- RUC -

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DETAILS:

EMPLOYMENT

UNITED STATES CIRCUIT COURT OF APPEALS  
SECOND CIRCUIT, POLEY SQUARE,  
NEW YORK, NEW YORK

[REDACTED] TO JUDGE THURGOOD  
MARSHALL, ADVISED SA [REDACTED] JULY SIXTEEN THAT JUDGE  
MARSHALL HAS CONTINUOUSLY SERVED ON THE BENCH SINCE HIS  
APPOINTMENT IN NINETEEN SIXTY ONE. HE CURRENTLY RESIDES AT  
FIVE ZERO ONE WEST ONE HUNDRED TWENTY THIRD STREET, NY, NY,  
ALONG WITH WIFE, TWO SONS, AND HIS AUNT, MEDIA DODSON, THE  
LATTER MOVING IN WITH JUDGE MARSHALL AFTER HER HUSBAND'S DEATH.  
DODSON IS APPOINTEE'S MOTHER'S SISTER. SHE RECOMMENDED HIM HIGHLY.  
[REDACTED] U. S. COURT OF APPEALS, FOR  
THE SECOND CIRCUIT, ADVISED SA [REDACTED] JULY SIXTEEN THAT HE HAS  
KNOWN APPOINTEE SINCE HE WAS APPOINTED IN NINETEEN SIXTY ONE.  
HAS NEVER BEEN TO HIS HOME BUT HAS MET HIS WIFE. [REDACTED] STATED  
APPOINTEE TRIES TO MAXIMUM OF HIS CAPACITY TO PERFORM HIS  
DUTIES AS AN APPELLATE JUDGE. BASICALLY, ACCORDING TO [REDACTED]

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[REDACTED] THE APPOINTEE IS AN ADVOCATE AND A GOOD ADVOCATE. HE ADDED THAT APPOINTEE HAS HAD MUCH EXPERIENCE ARGUING CASES IN THE U. S. SUPREME COURT AND THE NECESSARY EXPERIENCE FOR THE POSITION OF SOLICITOR GENERAL OF THE U. S. HE STATED THAT THE APPOINTEE'S JUDICIAL TEMPERAMENT AS AN APPELLATE JUDGE COULD ONLY BE ASCERTAINED BY REVIEWING HIS OPINIONS. HE STATED THERE IS NO QUESTION AS TO HIS LOYALTY TO THE UNITED STATES.

[REDACTED] U. S. COURT OF APPEALS, FOR THE SECOND CIRCUIT, ADVISED SA [REDACTED] ON JULY SIXTEEN THAT HE HAS KNOWN THE APPOINTEE SINCE NINETEEN SIXTYONE. HE STATED HE BELIEVES THAT JUDGE MARSHALL IS A GOOD JUDGE, AND HE KNOWS NO ONE WHO HAS ANY FINER CHARACTER THAN THE APPOINTEE. HE DESCRIBED THE APPOINTEE AS A MAN OF UNQUESTIONABLE INTEGRITY WHO INSISTS ON THE FULL TREATMENT IN EVERY THING HE DOES. HE ADVISED THAT THE APPOINTEE IS VIGOROUSLY ANTI-COMMUNIST AS SHOWN IN HIS EFFORTS TO KEEP THE NAACP FROM BEING INFILTRATED WHEN HE WAS WITH THIS ORGANIZATION. HE STATED THE APPOINTEE IS A GOOD MAN FOR THE JOB FOR WHICH HE IS BEING CONSIDERED.

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[REDACTED] UNITED STATES DISTRICT COURT,

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SOUTHERN DISTRICT OF NY, ADVISED SA [REDACTED] ON JULY SIXTEEN THAT HE HAS KNOWN THE APPOINTEE SINCE NINETEEN SIXTYONE AND DESCRIBED JUDGE MARSHALL AS EVERY INCH A GENTLEMAN AND A SCHOLAR WHO IS VERY LOYAL TO THE U. S. HE STATED HE COULDN'T NOT THINK OF ANYTHING BUT THE HIGHEST PRAISE FOR JUDGE MARSHALL. HE MET APPOINTEE'S WIFE ON SEVERAL OCCASIONS AND FINDS HER AN ATTRACTIVE WOMAN OF GOOD CHARACTER. HE ADVISED HE FEELS THAT JUDGE MARSHALL IS A GOOD MAN FOR THE POSITION FOR WHICH HE HAS BEEN APPOINTED AND HE WOULD SO RECOMMEND HIM. b7c

[REDACTED] U. S. DISTRICT COURT, SOUTHERN DISTRICT OF NY, ADVISED SA [REDACTED] ON JULY SIXTEEN THAT HE FIRST MET APPOINTEE IN NINETEEN SIXTYONE. HE STATED APPOINTEE HAS BECOME AN EXCELLENT JUDGE WITH GREAT UNDERSTANDING AND ONE OF THE MOST COOPERATIVE PERSONS HE KNOWS. HE STATED APPOINTEE HAS AN EXCELLENT JUDICIAL TEMPERAMENT AND HE HAS NO REASON WHATSOEVER TO QUESTION HIS LOYALTY TO THE UNITED STATES. HE RECOMMENDED HIM FOR THE APPOINTMENT FOR WHICH HE IS BEING CONSIDERED. b7c

[REDACTED] ADVISED SA [REDACTED] ON JULY SIXTEEN

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THAT HE HAS KNOWN THE APPOINTEE FOR SIX OR SEVEN YEARS AND JUDGE MARSHALL HAS BEEN A FINE JUDGE SINCE BEING APPOINTED TO THE BENCH. HE STATED THE APPOINTEE IS EXTREMELY WELL QUALIFIED FOR THE POSITION OF SOLICITOR GENERAL. HE HAS MET APPOINTEE'S WIFE ON SEVERAL OCCASIONS, BUT DOES NOT KNOW HER WELL ENOUGH TO COMMENT CONCERNING HER. HE STATED APPOINTEE HAS EXCELLENT JUDICIAL TEMPERAMENT AND IS EXCELLENT ON CRIMINAL MATTERS. HE RECOMMENDS. b7c

[REDACTED] ADVISED SA [REDACTED] ON JULY SIXTEEN THAT HE HAS KNOWN APPOINTEE SINCE NINETEEN SIXTYONE AND FINDS HIM A VERY COMPETENT JUDGE. HE HAS ARGUED APPEALS BEFORE THE APPOINTEE AND HAS FOUND HIM EXTREMELY ALERT TO PROBLEMS AND ONE WHO GETS THROUGH TO THE HEART OF THE MATTER. THERE HAS NEVER BEEN ANY REASON TO QUESTION APPOINTEE'S LOYALTY TO THE UNITED STATES AND HE WOULD RECOMMEND HIM FOR THE POSITION OF SOLICITOR GENERAL OF THE U. S.

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[REDACTED] UNITED STATES  
DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK, A RESIDENT  
OF [REDACTED] ADVISED  
ON JULY SIXTEEN, NINETEEN SIXTY FIVE, THAT HE FIRST MET  
THURGOOD MARSHALL ABOUT NINETEEN SIXTY ONE WHEN MARSHALL  
WAS APPOINTED TO THE SECOND CIRCUIT UNITED STATES COURT  
OF APPEALS. MARSHALL HAD HAD NO PRIOR JUDICIAL EXPERIENCE  
BUT HAD HAD CONSIDERABLE EXPERIENCE AS ATTORNEY FOR THE  
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE  
(NAACP), AND SOME OF THAT EXPERIENCE WAS ARGUING CASES  
BEFORE UNITED STATES SUPREME COURT. HE STATED THAT  
MARSHALL HAD REVIEWED CASES THAT HAD PREVIOUSLY BEEN  
ADJUDICATED BY [REDACTED] IN THE DISTRICT COURT. [REDACTED]  
STATED HE CONSIDERED MARSHALL'S KNOWLEDGE OF THE LAW TO  
BE EXCELLENT. HIS DECISIONS ARE CONSIDERED BY [REDACTED] b7c  
TO BE VERY FAIR AND THAT MARSHALL ONLY "CALLS THEM AS  
HE SEES THEM". HE STATED THAT HIS ONLY SOCIAL CONTACTS  
WITH MARSHALL HAVE BEEN AT JUDICIAL CONFERENCES, AND ON  
ONE OCCASION AT A DINNER IN NEW YORK CITY.



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YORK CITY WHERE [REDACTED] ALSO MET MRS. MARSHALL. HE  
STATED THAT MRS. MARSHALL IMPRESSED HIM AS BEING A VERY  
CHARMING LADY WHOM HE CONSIDERED ONE OF THE FINEST HE  
HAS MET. HE SAID THAT MARSHALL AS A JUDGE HAS AN EXCELLENT  
SENSE OF HUMOR AND HE CAN SEE NOTHING UNFAVORABLE CONCERNING  
HIM. HE CONSIDERS HIM HONEST, TRUSTWORTHY AND A LOYAL  
AMERICAN CITIZEN WHOM HE WOULD RECOMMEND FOR A POSITION  
OF SOLICITOR GENERAL IN THE UNITED STATES DEPARTMENT OF  
JUSTICE. [REDACTED] WAS INTERVIEWED BY SA [REDACTED]  
[REDACTED]

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ON JULY SIXTEEN SIXTY FIVE, [REDACTED] CIRCUIT COURT OF APPEALS, FOLEY SQUARE, NYC, ADVISED SPECIAL AGENT [REDACTED] THAT HE WAS ACQUAINTED WITH APPOINTEE PRIOR TO APPOINTEE'S APPOINTMENT AS A CIRCUIT COURT OF APPEALS JUDGE. HE KNEW HIM PRIMARILY THROUGH HIS REPUTATION AS AN ATTORNEY FOR THE NAACP. b7C

[REDACTED] STATED THAT APPOINTEE HAS MADE A FINE APPEARANCE AS A CIRCUIT COURT OF APPEALS JUDGE AND HAS BEEN A GOOD COLLEAGUE. [REDACTED] STATED HE KNOWS NOTHING WHICH WOULD REFLECT UNFAVORABLY REGARDING APPOINTEE WHATSOEVER, AND IS SORRY TO SEE HIM LEAVE. HE STATED HE KNEW OF NO REASON WHY APPOINTEE'S APPOINTMENT AS UNITED STATES SOLICITOR GENERAL SHOULD NOT BE CONFIRMED BY THE UNITED STATES SENATE. b7C

ON JULY SIXTEEN SIXTY FIVE, [REDACTED] UNITED STATES DISTRICT JUDGE, FOLEY SQUARE, NYC, ADVISED SPECIAL AGENT [REDACTED] THAT HE KNEW THAT APPOINTEE IS A PERSON WHO WOULD ALWAYS PLACE HIS PRINCIPLES ABOVE PERSONAL GAIN. APPOINTEE IS A

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PERSON OF THE HIGHEST MORALES, IS RELIABLE, DECENT,  
TEMPERATE, AND AN OUTSTANDING INDIVIDUAL. APPOINTEE  
HAS A VERY GOOD SENSE OF HUMOR, AND TO HIS UNDERSTANDING,  
HAS DONE AN OUTSTANDING JOB AS A CIRCUIT COURT OF  
APPEALS JUDGE. [REDACTED] COULD NOT RECOMMEND  
APPLICANT HIGHLY ENOUGH FOR THE POSITION OF UNITED  
STATES SOLICITOR GENERAL.

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ON JULY SIXTEEN INSTANT [REDACTED]

SECOND CIRCUIT COURT OF APPEALS, WAS INTERVIEWED AT [REDACTED]

BY SA [REDACTED]

[REDACTED] ADVISED HE HAS KNOWN THE APPOINTEE ONLY SINCE NINETEEN SIXTY ONE, WHEN HE WAS APPOINTED TO THE SECOND CIRCUIT COURT OF APPEALS. [REDACTED] ADVISED THE APPOINTEE HAS DONE A b7C CAPABLE JOB AND HIS ONLY FAILING IS THAT HE DOES NOT HAVE A FULL BACKGROUND IN GENERAL LAW. [REDACTED] ADVISED THE APPOINTEE IS AN ABLE, INTELLIGENT MAN, WHO IS "MARVELOUS IN CIVIL RIGHTS". HE HAS SEEN THE APPOINTEE AND HIS WIFE ON SEVERAL SOCIAL OCCASIONS AND REGARDS THEM AS LOYAL AMERICANS OF EXCELLENT CHARACTER, REPUTATION AND ASSOCIATES. HE RECOMMENDED THE APPOINTEE FOR A POSITION OF TRUST AND CONFIDENCE WITH THE UNITED STATES GOVERNMENT.

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ON JULY NINETEEN, SIXTY FIVE, [REDACTED]  
[REDACTED] TO THE APPOINTEE, ADVISED THAT HE WAS ADMITTED  
TO PRACTICE BEFORE THE UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT ON MARCH TWENTY, SIXTY ONE.

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[REDACTED]  
PAGE  
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ASSOCIATES [REDACTED]

[REDACTED] N.Y.,  
ON JULY SIXTEEN SIXTY-FIVE ADVISED SA [REDACTED] THAT HE HAS  
KNOWN THE APPOINTEE SINCE NINETEEN TEN OR NINETEEN ELEVEN AND  
HAS FOLLOWED HIS ACTIVITIES AND PROGRESS CLOSELY OVER THE YEARS.  
HE HAS GREAT ADMIRATION FOR MARSHALL AND HAS BEEN INTENSELY b7c  
INTERESTED IN HIS SUCCESS AND ADVANCEMENT. MARSHALL IS "A-1" AND  
"FIRST CLASS" IN EVERY RESPECT AS FAR AS HE IS CONCERNED. [REDACTED]

[REDACTED] STATED THAT THURGOOD MARSHALL IS A CREDIT TO HIS RACE AND  
A CREDIT TO HIS COUNTRY. HE ADVISED THAT NONE OF HIS OPINIONS  
REGARDING THE APPOINTEE WOULD HAVE CHANGED SINCE HIS LAST INTERVIEW  
ON THIS SUBJECT IN NINETEEN SIXTY-ONE.

[REDACTED] FURTHER ADVISED THAT HE BELIEVED THE APPOINTEE  
TO POSSESS THE VERY HIGHEST ABILITY IN LAW AND THE JUDICIARY.  
HE STATED THAT MARSHALL WAS A "JUDGE AMONG JUDGES" JUST AS HE WAS A  
"LAWYER AMONG LAWYERS." THE APPOINTEE IS ALSO A PERFECT GENTLEMAN  
AND THERE HAS NEVER BEEN THE SLIGHTEST TAINT TO HIS PERSONAL OR  
PUBLIC LIFE. HE HAS NEVER BEEN ASSOCIATED WITH AN ORGANIZATION  
OF A QUESTIONABLE NATURE AND HAS NEVER BEEN ENGAGED IN ANY

  
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ACTIVITIES WHICH COULD BE IN THE SLIGHTEST CRITICIZED. HE ADVISED THAT HE WOULD HIGHLY RECOMMEND THE APPOINTEE IN ALL RESPECTS.

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ON JULY SEVENTEEN, SIXTY FIVE, [REDACTED]

[REDACTED] NEW YORK CITY, ADVISED SA [REDACTED]

[REDACTED] THAT HE IS STILL THE APPOINTEE'S [REDACTED]

AND HE SEES THE APPOINTEE PROFESSIONALLY TWO OR THREE TIMES  
A YEAR [REDACTED] STATED HE ALSO SEES THE APPOINTEE OCCASIONALLY  
ON A SOCIAL BASIS USUALLY AT THE APPOINTEE'S HOME.

[REDACTED] ADVISED THAT HIS OPINION REGARDING THE APPOINTEE  
HAS NOT CHANGED SINCE HE WAS INTERVIEWED IN NINETEEN SIXTY  
ONE. HE STATED HE STILL HAS THE HIGHEST REGARD FOR THE  
APPOINTEE'S INTEGRITY AND FEELS HE IS A PERSON OF EXCELLENT  
CHARACTER, REPUTATION AND ASSOCIATES [REDACTED] STATED THAT  
APPOINTEE'S LOYALTY TO THE UNITED STATES IS BEYOND REPROACH.

[REDACTED] ADVISED THAT AS FAR AS HE IS CONCERNED, THE APPOINTEE  
IS OF HIGH LEGAL ABILITY AND WILL CONTINUE TO DO AN  
EXCELLENT JOB FOR THE UNITED STATES GOVERNMENT IN ANY  
CAPACITY. b7c

[REDACTED] ADVISED THAT [REDACTED]

[REDACTED] IT IS HIS

OPINION THAT THE APPOINTEE IS IN EXCELLENT PHYSICAL CONDITION.



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ON SEVEN SIXTEEN SIXTY FIVE, MR. ARTHUR SPINGARN, ATTORNEY, THREE ZERO SIX WEST FORTY FOURTH STREET, NYC, ADVISED SPECIAL AGENT [REDACTED] THAT HE IS PRESIDENT OF THE NAACP AND THAT HE HIRED MARSHALL WHEN HE, SPINGARN, WAS CHAIRMAN OF THE LEGAL COMMITTEE OF THE NAACP. HE RECALLED BEING INTERVIEWED CONCERNING MARSHALL IN NINETEEN SIXTY ONE AND SAID THAT HE STILL HOLDS THE SAME HIGH OPINION OF MARSHALL AS HE DID THEN. HE STATED THAT HE HAS MAINTAINED THE SAME CLOSE ASSOCIATION WITH MARSHALL DURING THE PAST FOUR YEARS AND THAT MARSHALL AND HIS FAMILY FREQUENTLY SPENT SUMMER VACATIONS WITH SPINGARN AT SPINGARN'S SUMMER HOME IN ARDENIA, NEW YORK, UNTIL TWO YEARS AGO WHEN THE HOME BURNED DOWN. HE SAID MARSHALL IS IN THE PROCESS OF BUILDING A COTTAGE ON THE LAND. HE ADDED THAT AS A UNITED STATES CIRCUIT COURT JUDGE MARSHALL ADDED STATURE, AN EXCELLENT REPUTATION AS A COMPETENT FAIR INDIVIDUAL WITH AN EXCELLENT KNOWLEDGE OF THE LAW. HE SAID HE IS STRONGLY ANTI-COMMUNIST, THAT HE AND HIS FAMILY ARE ENTIRELY LOYAL TO THE UNITED STATES AND THAT HE WOULD RECOMMEND MARSHALL HIGHLY FOR A RESPONSIBLE POSITION WITH THE GOVERNMENT.

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ON SEVEN SIXTEEN SIXTY FIVE, [REDACTED]

[REDACTED] NAACP, [REDACTED]

[REDACTED] NYC, ADVISED SPECIAL AGENT [REDACTED] THAT HE WAS INTERVIEWED IN NINETEEN SIXTY ONE CONCERNING MARSHALL, THAT HE HAS HAD FREQUENT PROFESSION<sup>N</sup> AND SOCIAL CONTACT WITH MARSHALL DURING THE PAST FOUR YEARS AND THAT NOTHING HAS OCCURRED THAT WOULD CHANGE THE VERY HIGH OPINION THAT HE HOLDS OF MARSHALL IN NINETEEN SIXTY ONE. HE SAID THAT MARSHALL IS AN OUTSTANDING AMERICAN, A PERSON OF THE HIGHEST PERSONAL AND PROFESSIONAL CHARACTER AND THAT HE WOULD RECOMMEND HIM HIGHLY FOR A RESPONSIBLE POSITION WITH THE GOVERNMENT.

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ON SEVEN SIXTEEN SIXTY FIVE [REDACTED]

67C  
[REDACTED] NAACP

LEGAL DEFENSE AND EDUCATIONAL FUND, INC., ADVISED SA [REDACTED]

[REDACTED] THAT HE HAS KNOWN THE APPOINTEE INTIMATELY SINCE  
NINETEEN FIFTY TWO, AND KNEW HIM ON A CASUAL BASIS TEN YEARS  
PRIOR TO THAT TIME. HE ADVISED THAT APPOINTEE AND HIS WIFE  
ARE LOYAL AMERICANS OF EXCELLENT CHARACTER AND REPUTATION.  
HE ADVISED THAT APPOINTEE POSSESSES UNMISTAKEABLE LEGAL  
ABILITY AND ALWAYS DEMONSTRATED HIMSELF TO BE A BRILLIANT  
ATTORNEY. [REDACTED] ADVISED THAT THE APPOINTEE HAS A BROTHER  
WHO IS A PHYSICIAN IN BALTIMORE, AND ALSO HAS AN AUNT. NEITHER  
OF WHOM ARE WELL KNOWN TO [REDACTED] HE RECOMMENDED APPOINTEE  
WITHOUT QUALIFICATION FOR A POSITION OF HIGH TRUST AND CONFIDENCE.

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ON JULY SIXTEEN, SIXTY FIVE, [REDACTED]  
[REDACTED] NAACP LEGAL DEFENSE AND EDUCATIONAL  
FUND, INC., [REDACTED] NEW YORK CITY, ADVISED  
SA [REDACTED] THAT HE HAS KNOWN THE APPOINTEE  
SINCE NINETEEN FORTY NINE THROUGH THEIR ASSOCIATION WITH  
THE NAACP. HE STATED THAT HIS PREVIOUS COMMENTS FROM  
THE NINETEEN SIXTY ONE INVESTIGATION OF THE APPOINTEE  
WOULD STILL STAND. HE RELATED THAT THE APPOINTEE IS ONE  
OF THE OUTSTANDING AMERICANS IN THE COUNTRY TODAY. HE  
STATED THERE IS NO QUESTION AS TO THE CHARACTER, LOYALTY,  
ASSOCIATES, REPUTATION AND MORALS OF THE APPOINTEE.  
HE STATED THAT THE APPOINTEE HAS DONE AN OUTSTANDING  
JOB AS FEDERAL CIRCUIT COURT JUDGE AT NEW YORK CITY  
SINCE HIS APPOINTMENT IN NINETEEN SIXTY ONE BY PRESIDENT  
KENNEDY. HE STATED THAT HE WOULD FURTHER DESCRIBE THE  
APPOINTEE AS QUOTE FIRST RATE UNQUOTE AND WOULD BE IN  
COMPLETE AGREEMENT WITH ANY APPOINTMENT GIVEN THE APPOINTEE  
BY PRESIDENT JOHNSON IN A POSITION INVOLVING TRUST AND  
RESPONSIBILITY IN THE GOVERNMENT.

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[REDACTED]  
NYC, NEW YORK, ADVISED SPECIAL AGENT [REDACTED] ON  
SEVEN SIXTEEN THAT HE HAS KNOWN APPOINTEE FOR OVER TWENTY  
YEARS BOTH IN A SOCIAL AND PROFESSIONAL WAY. HE HAS ALWAYS  
FOUND APPOINTEE OPEN AND ABOVE BOARD IN HIS DEALINGS WITH HIM.  
APPOINTEE HAS ALWAYS CONDUCTED HIMSELF IN AN EXCELLENT WAY  
SOCIALY, IS A MAN OF STRONG MORAL CONVICTIONS AND [REDACTED]  
HAD NO COMPUNCTIONS IN RECOMMENDING APPOINTEE FOR A HIGH  
POSITION OF TRUST IN GOVERNMENT SERVICE.

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b7c

ON JULY SIXTEEN, SIXTY FIVE, [REDACTED]

[REDACTED] NEW YORK CITY, ADVISED SA [REDACTED] THAT SHE HAS KNOWN THE APPOINTEE SINCE NINETEEN FORTY SIX WHEN BOTH WERE ASSOCIATED WITH THE NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC., AT NEW YORK CITY. SHE STATED THAT IN NINETEEN SIXTY ONE THE APPOINTEE WAS APPOINTED BY THE LATE PRESIDENT KENNEDY AS A FEDERAL CIRCUIT COURT JUDGE IN NEW YORK CITY. SHE STATED THAT HER PREVIOUS STATEMENTS CONCERNING THE APPOINTEE PRIOR TO HIS BEING APPOINTED FEDERAL CIRCUIT COURT JUDGE REMAINED THE SAME IN ALL PHASES. SHE STATED THAT SHE FIRMLY BELIEVED THAT THE EXPERIENCE ATTAINED BY THE APPOINTEE WHILE LEGAL COUNSEL WITH THE NAACP OVER THE YEARS AS WELL AS HIS TENURE AS A FEDERAL CIRCUIT COURT JUDGE WOULD PLACE THE APPOINTEE IN A POSITION OF ANY NATURE INVOLVING TRUST AND RESPONSIBILITY IN THE GOVERNMENT. [REDACTED] RELATED THAT THE APPOINTEE AND FAMILY WERE OF THE HIGHEST CHARACTER, LOYALTY, ASSOCIATES, MORALS AND REPUTATION. SHE STATED SHE WOULD

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HAVE NOTHING BUT THE HIGHEST RECOMMENDATION FOR THE APPOINTEE  
FOR A POSITION INVOLVING TRUST AND RESPONSIBILITY IN THE  
GOVERNMENT.

[REDACTED]  
(1)

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b7C

[REDACTED]  
[REDACTED]

ADVISED SPECIAL AGENT [REDACTED] ON JULY SIXTEEN NINETEEN SIXTY FIVE THAT HE HAS KNOWN THE APPOINTEE FOR APPROXIMATELY FIFTEEN YEARS. [REDACTED] STATED HE KNEW HIM FIRST WHEN [REDACTED] AND THE APPOINTEE WAS HEAD OF THE NAACP LEGAL DEFENSE FUND. [REDACTED] STATED THAT HE KNOWS THE APPOINTEE BOTH PROFESSIONALLY AND SOCIALLY AND HAS ALWAYS FOUND HIM TO BE A VERY ABLE LAWYER AND HIS INTEGRITY WAS BEYOND REPROACH.

[REDACTED] STATED THAT HE HAS VISITED THE APPOINTEE'S HOME, KNEW HIS WIFE AND CHILDREN AND THAT THEY ARE A FINE FAMILY.

[REDACTED] ADVISED THAT THE APPOINTEE'S MORAL CHARACTER, PERSONAL HABITS AND REPUTATION ARE BEYOND REPROACH AND NEVER HAS HE HAD ANY REASON TO QUESTION HIS LOYALTY TO THE UNITED STATES.

[REDACTED] STATED THAT HE WOULD RECOMMEND THE APPOINTEE WITHOUT RESERVATION FOR A POSITION OF TRUST AND CONFIDENCE IN THE UNITED STATES GOVERNMENT.



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[REDACTED]  
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[REDACTED]  
[REDACTED], NEW YORK CITY, AND RESIDING AT [REDACTED]  
[REDACTED] ADVISED SPECIAL AGENT [REDACTED] ON JULY SIXTEEN,  
ONE NINE SIX FIVE, THAT HE HAS KNOWN THE APPOINTEE FOR  
APPROXIMATELY FORTY YEARS AND IS ONE OF HIS OLDEST PERSONAL  
FRIENDS. [REDACTED] STATED THAT HE HAS KNOWN THE b7C  
APPOINTEE FROM THE TIME HE WAS A YOUNG MAN AND HAS WATCHED  
HIM GROW UP TO BE THE WONDERFUL PERSON AND ABLE LAWYER THAT  
HE IS TODAY. [REDACTED] STATED THAT THE APPOINTEE IS  
EMINENTLY QUALIFIED TO HANDLE ANY POSITION THAT THE  
GOVERNMENT MIGHT HAVE IN MIND FOR HIM AS EVIDENCED BY HIS  
RECORD AS A FEDERAL JUDGE. [REDACTED] ADVISED THAT  
THE APPOINTEE IS A MAN OF THE HIGHEST PERSONAL IDEALS AND  
PERSONAL STANDARDS AND THAT HIS MORAL CHARACTER AND HIS  
LOYALTY TO HIS COUNTRY IS BEYOND REPROACH. [REDACTED]  
[REDACTED] ADDED THAT HIS PERSONAL INTEGRITY, HONESTY, HIS

  
2.

b7C

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ABILITY AND HIS REPUTATION AS A PERSON, AS A LAWYER AND  
A JUDGE IS OUTSTANDING.  STATED THAT

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HOLDING THE APPOINTEE IN THE HIGHEST RESPECT HE WOULD  
RECOMMEND THE APPOINTEE FOR ANY POSITION OF TRUST AND  
CONFIDENCE IN THE UNITED STATES GOVERNMENT.

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b7C

ON JULY SIXTEEN SIXTY FIVE, [REDACTED]  
[REDACTED] NEW YORK,  
ADVISED SA [REDACTED] THAT HE HAS KNOWN JUDGE THURGOOD  
MARSHALL FOR TWENTY FIVE YEARS. HE STATED THAT HE WAS [REDACTED]  
[REDACTED] TO THE APPOINTEE WHO HEADED THE LEGAL OFFICE OF  
THE NAACP IN THE EARLY NINETEEN FORTIES, WHEN THAT OFFICE WAS  
LOCATED AT SIXTY NINE FIFTH AVENUE AND LATER AT TWENTY WEST  
FORTIETH STREET, BOTH NEW YORK CITY. [REDACTED] SAID THAT  
THIS OFFICE IS PRESENTLY KNOWN AS THE LEGAL DEFENSE AND EDUCATION  
FUND LOCATED AT TEN COLUMBUS CIRCLE, NEW YORK CITY. [REDACTED]  
STATED THAT THE APPOINTEE RECEIVED GREAT JUDICIAL EXPERIENCE IN  
THIS OFFICE AND THROUGH THE YEARS HAS ACQUIRED AN OUTSTANDING  
LEGAL BACKGROUND. HE SAID THE APPOINTEE HAS APPEARED IN AT LEAST  
THIRTY EIGHT TO FORTY CASES BEFORE THE UNITED STATES SUPREME COURT  
AS WELL AS MANY TIMES IN VARIOUS OTHER HIGH FEDERAL COURTS, AND  
IN THIS REGARD IS ONE OF THE MOST EXPERIENCED ATTORNEYS IN THE  
UNITED STATES IN THIS PRACTICE.

HE SAID THAT HE KNOWS THE APPOINTEE VERY WELL, HAVING BEEN  
IN CLOSE ASSOCIATION WITH HIM FOR TWENTY FIVE YEARS, AND REGARD

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HIM AS A LOYAL AMERICAN OF GOOD CHARACTER, REPUTATION, MORALS AND ASSOCIATES, CONCERNING WHOM HE KNOWS NO DEROGATORY INFORMATION. HE ADVISED THAT HE HAS HAD MANY OCCASIONS TO OBSERVE THE APPOINTEE IN THE CIRCUIT COURT OF APPEALS, SECOND DISTRICT, WHERE THE APPOINTEE HAS DONE AN OUTSTANDING JOB EXHIBITING FIRST RATE LEGAL ABILITY. HE BELIEVES THE APPOINTEE HAS A GOOD GRASP OF CONSTITUTIONAL INTERPRETATION OF VARIOUS CRIMINAL STATUTES AND SITUATIONS AND IS CLOSELY ASSOCIATED AND ALIGNED IN HIS THINKING WITH THE UNITED STATES SUPREME COURT JUDGE TOM CLARK. b7c

[REDACTED] SAID THAT HE CONSIDERS ANY ADVANCE THAT THE APPOINTEE MIGHT MAKE IN THE LEGAL FIELD WOULD BE FOR THE BETTERMENT OF THE UNITED STATES. HE SAID HE WOULD RECOMMEND THE APPOINTEE FOR ANY POSITION OF TRUST IN THE UNITED STATES GOVERNMENT.

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ON JULY SIXTEEN INSTANT [REDACTED]

[REDACTED] NEW YORK,

ADVISED SPECIAL AGENT [REDACTED]

THAT HE IS [REDACTED]

[REDACTED], NEW YORK.

[REDACTED] STATED THAT HE KNEW THE APPOINTEE'S PARENTS AND HAS KNOWN THE APPOINTEE SINCE HIS BIRTH. [REDACTED] STATED THAT HE SAW HIM GROW UP [REDACTED] AT THE APPOINTEE'S WEDDING. [REDACTED] ADDED THAT THE APPOINTEE WAS A DEVOTED FAMILY MAN, A TRUE AMERICAN AND "ONE ON WHOM HE WOULD BET HIS LIFE". [REDACTED] STATED THAT HE COULD NOT SPEAK TOO HIGHLY OF THE APPOINTEE AND THAT HE WAS A MAN OF GREAT PERSONAL CHARACTER, PERSONAL HABITS, AND ABILITY IN THE FIELD OF LAW. HE ADDED THAT HIS LOYALTY TO HIS COUNTRY WAS NOT TO BE QUESTIONED. [REDACTED] STATED THAT BECAUSE OF THE APPOINTEE'S KINDNESS, LOYALTY, CHARACTER, AND DEVOTEDNESS TO HIS COUNTRY, HE WOULD RECOMMEND HIM FOR ANY POSITION OF TRUST AND CONFIDENCE WITH THE UNITED STATES GOVERNMENT. b7c

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ON JULY SIXTEEN SIXTY FIVE [REDACTED]

[REDACTED] NEW YORK CITY, ADVISED THAT HE HAS KNOWN THE APPOINTEE SINCE JUNE, NINETEEN FIFTY SEVEN, AND CONSIDERS HIM TO BE A GREAT AMERICAN AND A PERSON OF THE HIGHEST INTEGRITY. [REDACTED]

[REDACTED] DESCRIBED THE APPOINTEE AS A PERSON WHO HAS COURAGE IN HIS BELIEFS AND A GREAT CONVICTION FOR THE WELFARE OF PEOPLE.

[REDACTED] THE APPOINTEE HAS HANDLED LEGAL MATTERS IN A HIGHLY COMPETENT MANNER AND ENJOYS AN EXCELLENT REPUTATION AMONGST HIS FRIENDS AND ASSOCIATES.

[REDACTED] STATED THAT THE APPOINTEE IS UNQUESTIONABLY LOYAL TO THE UNITED STATES AND HE HIGHLY RECOMMENDS THE APPOINTEE FOR A POSITION WITH THE UNITED STATES GOVERNMENT.

[REDACTED] WAS INTERVIEWED BY SA [REDACTED]

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[REDACTED] OF NEW YORK, ADVISED SA [REDACTED]  
[REDACTED] ON SEVEN SIXTEEN SIXTY FIVE THAT HE PRESENTLY  
HAS [REDACTED]

[REDACTED] ADVISED HE HAS HAD ONLY LIMITED  
SOCIAL CONTACTS WITH JUDGE HURGOOD MARSHALL SINCE HIS  
APPOINTMENT AS A US JUDGE IN NINETEEN SIXTY ONE. HE  
CONTINUED BY STATING HE FEELS FROM WHAT HE HAS HEARD OF  
JUDGE MARSHALL'S ACTIONS SINCE BEING PUT ON THE BENCH  
THAT HE POSSESSES THE SAME, IF NOT MORE SO, HIGH QUALITY  
AND ATTRIBUTES NEEDED BOTH FOR A GENTLEMAN AND A JUDGE AS  
HE DID IN NINETEEN SIXTY ONE.

HE CONSIDERED JUDGE MARSHALL TO POSSESS THE  
HIGHEST LEGAL REPUTATION POSSIBLE BECAUSE OF HIS LONG

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CONDITIONING WHICH ENABLED HIM TO LISTEN TO BOTH SIDES OF  
AN ARGUMENT UNBIASEDLY. [REDACTED] FELT THAT JUDGE  
MARSHALL'S RECENT YEARS ON THE BENCH SHOWED THAT HE HAS  
AN IDEAL JUDICIAL TEMPERAMENT. b7c

IN CONCLUSION, [REDACTED] COMMENTED HE KNEW  
OF NO REASONS TO QUESTION JUDGE MARSHALL'S LOYALTY,  
CHARACTER OR ASSOCIATES.



**3.**

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CREDIT

ON JULY SIXTEEN, ONE NINE SIX FIVE, [REDACTED]

[REDACTED] CREDIT BUREAU OF GREATER NEW YORK, ADVISED INVESTIGATIVE CLERK [REDACTED] THAT HER RECORDS REFLECT FAVORABLE CREDIT RATINGS FOR THE APPOINTEE [REDACTED]

ADVISED THAT SHE COULD LOCATE NO RECORD FOR [REDACTED]

ON JULY SIXTEEN INSTANT, [REDACTED]

POUGHKEEPSIE CREDIT BUREAU, WHICH COVERS AMENIA, NEW YORK,

ADVISED SA [REDACTED] THAT HE HAD NO RECORD FOR THE APPOINTEE

OR [REDACTED]

ARREST

ON JULY SIXTEEN INSTANT [REDACTED]

[REDACTED] DUTCHESS COUNTY SHERIFF'S OFFICE, POUGHKEEPSIE, NEW YORK,

ADVISED SA [REDACTED] THAT HE COULD LOCATE NO RECORD FOR THE

APPOINTEE OR [REDACTED]

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[REDACTED] b7C

PAGE

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ON JULY SIXTEEN, ONE NINE SIX FIVE, SPECIAL AGENT [REDACTED]  
[REDACTED] CAUSED THE RECORDS OF THE NEW YORK CITY  
POLICE DEPARTMENT TO BE CHECKED BY [REDACTED]  
[REDACTED] BUREAU OF CRIMINAL IDENTIFICATION;  
[REDACTED] INFORMATION UNIT, [REDACTED] OLD  
RECORD ROOM (ALL OF THE ABOVE OF THE NEW YORK CITY POLICE  
DEPARTMENT); AND [REDACTED] FINGERPRINT BUREAU, b7C  
CRIMINAL COURT OF THE CITY OF NEW YORK. NO RECORD WAS  
LOCATED FOR THE APPOINTEE, [REDACTED] OR [REDACTED]

ON JULY SIXTEEN, ONE NINE SIX FIVE, [REDACTED]  
[REDACTED] BUREAU OF SPECIAL SERVICES, NEW YORK CITY POLICE  
DEPARTMENT, ADVISED SPECIAL AGENT [REDACTED] THAT HE  
COULD LOCATE NO RECORD FOR THE APPOINTEE OR HIS RELATIVES.

MISCELLANEOUS

ON JULY SIXTEEN, ONE NINE SIX FIVE [REDACTED]  
UNITED STATES DISTRICT COURT, SDNY, FOLEY SQUARE, NEW YORK,  
NEW YORK, ADVISED SPECIAL AGENT [REDACTED] THAT HER

[REDACTED] b7C  
2.

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RECORDS FAILED TO DISCLOSE THAT THE APPLICANT HAD BEEN  
ADMITTED TO PRACTICE BEFORE THE FEDERAL COURT OF THE SDNY.

ON JULY SIXTEEN, ONE NINE SIX FIVE, [REDACTED]  
[REDACTED] UNITED STATES DISTRICT COURT, EDNY,  
TWO TWO FIVE WASHINGTON STREET, BROOKLYN, NEW YORK, ADVISED  
THAT HER RECORDS SUBSEQUENT TO ONE NINE FOUR ZERO FAILED TO  
DISCLOSE THAT THURGOOD MARSHALL HAD BEEN ADMITTED TO PRACTICE  
IN THE FEDERAL COURT. RECORDS PRIOR TO NINETEEN FORTY WERE  
NOT AVAILABLE FOR REVIEW. b7C

ATTEMPTS WERE MADE TO CONTACT THE FOLLOWING INDIVIDUALS  
WHO WERE INTERVIEWED CONCERNING THE APPOINTEE IN NINETEEN  
SIXTY ONE AND WHO WERE UNAVAILABLE AT THIS TIME:

[REDACTED]  
[REDACTED]  
ON JULY SIXTEEN ONE NINE SIX FIVE NYTWFO ADVISED  
SA [REDACTED] THAT HE COULD FURNISH NO  
ADDITIONAL INFORMATION CONCERNING THE APPOINTEE.

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ON [REDACTED]

[REDACTED] WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST, ADVISED THAT [REDACTED] COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL (CSJMS) STATED THAT [REDACTED] FELT SOBELL WOULD HAVE A BETTER CHANCE IN COURT IN VIEW OF THE STATEMENT BY US APPEALS COURT JUDGE THURGOOD MARSHALL. JUDGE MARSHALL, ACCORDING TO [REDACTED] INDICATED THAT IF ETHEL ROSENBERG APPEARED BEFORE HIS COURT AT THE PRESENT TIME, SHE WOULD BE GRANTED A NEW TRIAL.

MORTON SOBELL WAS CONVICTED ON THREE TWENTY NINE FIFTY ONE IN THE USDC, SDNY OF CONSPIRACY TO COMMIT ESPIONAGE ON BEHALF OF THE SOVIET UNION, AND WAS SENTENCED ON APRIL FIVE, NINETEEN FIFTY ONE TO THIRTY YEARS IMPRISONMENT. HE IS CURRENTLY SERVING HIS SENTENCE IN THE CUSTODY OF THE ATTORNEY GENERAL.

JULIUS AND ETHEL ROSENBERG WERE CONVICTED IN THE USDC, SDNY ON THREE TWENTY NINE FIFTY ONE OF CONSPIRACY TO COMMIT ESPIONAGE ON BEHALF OF THE SOVIET UNION. THE ROSENBERGS WERE SENTENCED TO DEATH ON FOUR FIVE FIFTY ONE. THEY WERE

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LEGALLY EXECUTED AT SING SING PRISON, OSSINING, NEW YORK,  
ON SIX NINETEEN FIFTY THREE.

DOCUMENTATION OF THE CSJMS APPEARS IN THE APPENDIX  
ATTACHED HERETO.

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ON SEVEN SIXTEEN INSTANT [REDACTED] b7c  
AND [REDACTED] FOLEY SQUARE,  
NEW YORK, NEW YORK, ADVISED SA [REDACTED] THAT THEY  
WERE NOT ACQUAINTED WITH THE APPOINTEE EITHER OFFICIALLY  
OR PERSONALLY.

ON SEVEN SIXTEEN INSTANT THE RECORDS OF THE b7c  
NEW YORK TIMES MORGUE WERE REVIEWED BY IC [REDACTED]  
AN ARTICLE ENTITLED, "NEW VISTA GIVEN TO EPISCOPALIANS"  
APPEARED IN THE OCTOBER TWENTY FOURTH ISSUE OF THE NEW YORK  
TIMES" AND CONTAINED INFORMATION CONCERNING THE APPOINTEE.

[REDACTED]  
ON SEVEN SIXTEEN SIXTY FIVE MAX YERGAN, PINES-  
BRIDGE ROAD, OSSINING, NEW YORK, ADVISED SA [REDACTED]  
[REDACTED] THAT SINCE NINETEEN SIXTY ONE HE HAS SEEN THE  
APPOINTEE ON ONLY ONE OR TWO OCCASIONS FROM A DISTANCE.  
HE STATED THAT HE HAS NO ADDITIONAL INFORMATION CONCERNING  
THE APPOINTEE AND THAT HIS OPINIONS OF THE APPOINTEE'S  
CHARACTER, REPUTATION AND LOYALTY HAVE NOT CHANGED SINCE

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NINETEEN SIXTY ONE. HE ADVISED THAT HE WOULD RECOMMEND  
THE APPOINTEE FOR ANY POSITION OF TRUST AND CONFIDENCE  
WITH THE UNITED STATES GOVERNMENT.

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b7c

ON SEVEN SIXTEEN INSTANT [REDACTED]

[REDACTED] NEW YORK STATE SUPREME COURT, APPELLATE DIVISION,  
FIRST JUDICIAL DEPARTMENT, TWENTY FIFTH STREET AND MADISON  
AVENUE, NEW YORK, NEW YORK, ADVISED IC [REDACTED] THAT  
THERE IS NO RECORD CONCERNING THE APPOINTEE.

ON SEVEN SIXTEEN INSTANT, [REDACTED]

[REDACTED] NEW YORK STATE SUPREME COURT, APPELLATE DIVISION,  
SECOND JUDICIAL DEPARTMENT, FORTY FIVE MONROE PLACE, BROOKLYN,  
NEW YORK, ADVISED IC [REDACTED] THAT THERE IS NO RECORD CONCERNING  
THE APPOINTEE.

ON SEVEN SIXTEEN INSTANT, [REDACTED]

[REDACTED] ASSOCIATION OF THE BAR OF  
THE CITY OF NEW YORK, FORTY TWO WEST FORTY FOUR STREET, NEW  
YORK, NEW YORK, ADVISED IC [REDACTED] THAT THE APPOINTEE WAS  
ELECTED MARCH, NINETEEN SIXTY THREE, TO THE ASSOCIATION.

ON SEVEN SIXTEEN INSTANT [REDACTED]

[REDACTED] ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK,

1349



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FORTY TWO WEST FORTY FOUR STREET, NEW YORK, NEW YORK,  
GRIEVANCE COMMITTEE, ADVISED IC [REDACTED] THAT THERE IS NO  
RECORD CONCERNING THE APPOINTEE. b7C

ON SEVEN SIXTEEN INSTANT, [REDACTED]  
[REDACTED] NEW YORK COUNTY LAWYER'S ASSOCIATION, FOURTEEN  
VESEY STREET, NEW YORK, NEW YORK, ADVISED IC [REDACTED] THAT  
THE APPOINTEE WAS ADMITTED IN NINETEEN THIRTY SIX.

ON SEVEN SIXTEEN INSTANT, [REDACTED]  
[REDACTED] BROOKLYN BAR ASSOCIATION, ONE TWO THREE  
REMSEN STREET, BROOKLYN, NEW YORK, ADVISED IC [REDACTED] THAT  
THERE IS NO RECORD CONCERNING THE APPOINTEE.

IN JULY, NINETEEN SIXTY FIVE, SEVERAL CONFIDENTIAL  
SOURCES FAMILIAR WITH SOME PHASES OF CP ACTIVITY IN THE  
NYC AREA ADVISED THAT THEY HAD NO PERSONAL KNOWLEDGE OF  
THE APPOINTEE.

1.

APPENDIX

COMMITTEE TO SECURE  
JUSTICE FOR MORTON SOBELL

"Following the execution of atomic spies ETHEL and JULIUS ROSENBERG in June, 1953, the 'Communist campaign assumed a different emphasis. Its major effort centered upon MORTON SOBELL,' the ROSENBERGS' codefendant. The National Committee to Secure Justice in the Rosenberg Case - a Communist front which had been conducting the campaign in the United States - was reconstituted as the National Rosenberg-Sobell Committee at a conference in Chicago in October, 1953, and 'then as the National Committee to Secure Justice for Morton Sobell in the Rosenberg Case'. . ."

("Guide to Subversive Organizations and Publications" dated December 1, 1961, issued by the House Committee on Un-American Activities, page 116.)

In September, 1954, the name "National Committee to Secure Justice for Morton Sobell" appeared on literature issued by the Committee. In March, 1955, the current name, "Committee to Secure Justice for Morton Sobell," first appeared on literature issued by the Committee.

The Address Telephone Directory for the Borough of Manhattan, New York City, as published by the New York Telephone Company on April 20, 1964, lists the "Committee to Secure Justice for Morton Sobell" (CSJMS) as being located at 940 Broadway, New York, New York.

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Gale *7/18/65*

FROM : W. V. Cleveland *WVC*

SUBJECT: THURGOOD MARSHALL  
DEPARTMENTAL APPLICANT  
SOLICITOR GENERAL  
DEPARTMENT OF JUSTICE

DATE: July 16, 1965

Tolson \_\_\_\_\_  
Belmont \_\_\_\_\_  
Mohr \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

At 10:05 a. m. today Mr. DeLoach advised that he had been informed by the White House the President wants the investigation of Thurgood Marshall brought up to date immediately since the 1961 investigation concerning him. We conducted a departmental applicant investigation concerning Marshall in 1961 prior to his appointment as Judge, United States Circuit Court of Appeals, New York.

The requested investigation has been ordered to the field by telephone with the request that a summary of the results be furnished by teletype by noon on Sunday, July 18, 1965, to the Bureau. We plan to have a summary of this supplemental investigation ready to go to the White House on Monday, July 19, 1965.

## ACTION:

This matter is being followed closely and you will be advised of any significant developments.

- 1 - Mr. Belmont
- 1 - Mr. DeLoach
- 1 - Mr. Gale
- 1 - Mr. Cleveland
- 1 - [REDACTED]

(6)

NOT RECORDED  
14 SEP 8 1965

67 SEP 20 1965

GUEST LIST FOR THURGOOD MARSHALL  
SWEARING-IN CEREMONY -- August 24, 1965

77-88227

Mr. Paul Bender

Mr. Justice Hugo Black.  
MR. HUGO BLACK.

Mr. Jerome L. Chapman

Mr. Louis F. Claiborne

Deputy Attorney General Ramsey Clark  
MR. JUSTICE TOM CLARK

Honorable John Davis, Clerk of the Supreme Court

Assistant Attorney General John Doar

Miss Mildred E. Fanabust

Honorable Raymond F. Farrell, Commissioner of Immigration and  
Naturalization

Mr. Owen Fiss  
MR. LEWIS FLAGG  
Mr. Daniel M. Friedman

Mr. Ernest Friessen

Mr. Fred Halsey

Honorable J. Edgar Hoover, Director of the Federal Bureau of  
Investigation

Acting Assistant Attorney General John Jones

Attorney General Nicholas deB. Katzenbach

Mr. Jack S. Levin

Mr. Tolson ✓  
Mr. Belmont ✓  
Mr. Mohr ✓  
Mr. Casper ✓  
Mr. Callahan ✓  
Mr. Conrad ✓  
Mr. Felt ✓  
Mr. Gale ✓  
Mr. Rosen ✓  
Mr. Sullivan ✓  
Mr. Tavel ✓  
Mr. Trotter ✓  
Tele. Room ✓  
Miss Holmes ✓  
Miss Gandy ✓

77-88227-145

NOT RECORDED

3 SEP 21 1965

04 SEP 22 1965

1355

-2-

Mr. Nathan Lewin

- Mr. John G. Lewis, Jr.

- Mr. Clarence Mitchell

Mr. Richard A. Posner

Mr. Harold Rels, Executive Assistant to the Attorney General -

- Honorable Spotswood Robinson

- Mrs. Spotswood Robinson

Mr. Jack Rosenthal, Director of Public Information, Department of  
Justice.

Mr. Barefoot Sanders .

Assistant Attorney General Norbert A. Schlei -

- Mr. Arthur Spingarn

Mr. Ralph S. Spritzer

Mr. Charles Stovall

Mrs. Charles Stovall

Assistant Attorney General Fred M. Vinson -

Assistant Attorney General Edwin Weisl, Jr. -

- Mr. Roy Wilkins

Assistant Attorney General J. Walter Yeagley -

Mr. Herman Zand

\*\*\*

Mr. and Mrs. Thurgood Marshall and two sons

1354

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. DeLoach

DATE: 12-28-65

FROM : M. A. Jones

SUBJECT: SOLICITOR GENERAL THURGOOD MARSHALL  
SPECIAL BUREAU TOUR

Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

In accordance with prior arrangements made by Solicitor General Marshall with the Director's Office, Mrs. Marshall and their two sons, Thurgood, Jr., and John, were provided a very special tour of FBI Headquarters this morning by SA [REDACTED] of the Crime Research Section.

They were accompanied by [REDACTED] and her son [REDACTED] and [REDACTED] a young friend of the Marshall children.

Prior to the tour, at Miss Gandy's invitation, the group was given an opportunity to see Mr. Hoover's Office.

During the tour, they were afforded a special firearms demonstration and the boys were given empty shell cases and used silhouette targets. The entire group was most appreciative of the courtesies extended them.

## RECOMMENDATION:

For information.

- 1 - Mr. DeLoach
- 1 - Miss Holmes
- 1 - Miss Gandy
- 1 - Tour Room

(7)

Director's Office  
12-28-65  
[REDACTED]

10 DEC 30 1965

CRIME

1355

Federal Bureau of Investigation  
Records Branch

19

<input type="checkbox"/>	Name Searching Unit - Room 6527
<input type="checkbox"/>	Service Unit - Room 6524
<input type="checkbox"/>	Forward to File Review
<input type="checkbox"/>	Attention _____
<input type="checkbox"/>	Return to _____
	Supervisor Room Ext.

## Type of References Requested:

<input type="checkbox"/>	Regular Request (Analytical Search)
<input type="checkbox"/>	All References (Subversive & Nonsubversive)
<input type="checkbox"/>	Subversive References Only
<input type="checkbox"/>	Nonsubversive References Only
<input checked="" type="checkbox"/>	Meta <del>Sum</del> References Only

## Type of Search Requested:

<input type="checkbox"/>	Restricted to Locality of _____
<input type="checkbox"/>	Exact Name Only (On the Nose)
<input type="checkbox"/>	Buildup <input type="checkbox"/> Variations

Subject Marshall, Thurgood  
Birthdate & Place 7-2-08  
Address \_\_\_\_\_

## Localities

Re \_\_\_\_\_ Date 12-7 Searcher Initials 531

Prod.

FILE NUMBER	SERIAL
✓ 77-88227	
✓ 62-86660	
✓ 44-1540	
✓ 44-10894	
✓ 62-86660	-20 SUM 5-28-57
	-18 SUM 12-8-56
	-5 SUM 12-18-50
✓ 77-88227	-115 SUM 8-24-55
	-118 SUM 7-16-55
✓ 62-86660	-3 SUM 10-18-47
	-13 SUM 2-8-56
	-21 SUM 4-16-58

DEC 8 1966

DEC 8 1966

1350

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SEARCHED

DEC 14 1966

NAME CHECK

December 13, 1966

*Summary*

**THURGOOD MARSHALL**  
**Born: July 2, 1908**  
**Baltimore, Maryland**

An applicant-type investigation was conducted by the FBI in 1961 and additional inquiries were conducted in 1965 concerning the captioned individual. The results of these investigations were furnished to the White House.

For detailed results of these investigations, you are referred to the office of the Honorable Marvin Watson, Special Assistant to the President, attention Mrs. Mildred Stegall.  
(77-88227)

Original and 1 - NACC - Army  
Request received - December 2, 1966

[REDACTED]

b7C

*Thurgood*

**NOTE:** In 1939, Marshall registered with the American Labor Party and in 1944, was listed as a national committeeman of the International Juridicial Association. In 1942, he wrote a report which was adopted by the National Executive Board of the National Lawyers Guild. In 1947, he was speaker on a program sponsored by the Progressive Citizens of America. All of the above-mentioned organizations have been cited by the HCUAS.

REC-59 77-88227-147  
-115

20 DEC 15 1966

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI, and is loaned to your agency; it and its contents are not to be distributed outside your agency. This reply is result of check FBI investigative files. To check arrest records, request must be submitted to FBI Identification Division. Fingerprints are necessary for positive check.

DEC 22 1966

135



The Attorney General

June 13, 1967

Director, FBI

1 - Mr. DeLoach  
1 - Mr. Wick  
1 - Mr. Gale  
1 - Mr. Cleveland  
1 - [REDACTED] b7C

THURGOOD MARSHALL  
SOLICITOR GENERAL OF THE UNITED STATES

Reference is made to the oral request of Mr. John T. Duffner, Executive Assistant, Office of the Deputy Attorney General, for any pertinent information received by this Bureau concerning Solicitor General Thurgood Marshall since the investigation of him in 1965. [REDACTED] b3

The files of the FBI, including the files of the Identification Division, contain no additional pertinent information received concerning Mr. Marshall since the investigation of him in 1965. [REDACTED] b3

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7/28/95 BY SP12 [REDACTED] ✓

#369483 b7C

NOTE: See memo Cleveland to Gale dated 6-13-67, same caption. [REDACTED]

REC EX-103 77-88227-11

19 JUN 14 1967

Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Wick \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

(8)

E B 1  
REC'D-REVDING ROOM

79 JUN 14 1967

MAIL ROOM ☐ TELETYPE UNIT ☐ JUN 13 3 23 PM '67

SENT FROM D. O.  
TIME 5:12 PM  
DATE 6-13-67  
BY [REDACTED] b7C 1358

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Gale

DATE: 6-13-67

FROM : W. V. Cleveland

SUBJECT: THURGOOD MARSHALL  
SOLICITOR GENERAL OF THE UNITED STATES

Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Wick \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
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Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

My memorandum of 6-13-67, advised that John T. Duffner, Executive Assistant, Office of the Deputy Attorney General, had requested a name check concerning Thurgood Marshall, Solicitor General of the United States. Duffner confidentially advised that Marshall was being considered as a replacement for Tom Clark on the Supreme Court of the United States. It is noted that at 12:08 p.m. on 6-13-67, the news ticker carried an announcement of Marshall's appointment by the President to the Supreme Court.

My memorandum also pointed out we had previously investigated Marshall in 1961 and 1965. The results of these investigations have previously been furnished to the Department.

Bureau files show no additional pertinent information received concerning Marshall since our 1965 investigation. However, it will be recalled that Marshall as Solicitor General filed a petition in the Black case with the Supreme Court of the United States over the objections of the FBI. In this connection it is noted that in June, 1966,

on a highly confidential basis advised Mr. DeLoach in connection with the Black case that Marshall as Solicitor General had ineptly and inadequately presented the matter of electronic devices to the Supreme Court. commented upon Marshall's inept and stupid presentations to the Supreme Court regarding the general matter of confessions.

It will also be recalled that in the 1940s Marshall when Special Counsel for the National Association for the Advancement of Colored People was critical of the Bureau and made several charges in connection with civil rights cases, which were unfounded. In July, 1965, the Attorney General was also advised of these unsubstantiated charges by Marshall.

Enclosure sent 6-13-67

- 1 - Mr. DeLoach
- 1 - Mr. Wick
- 1 - Mr. Gale
- 1 - Mr. Cleveland

REC-17 77-88227-14  
JUN 14 1967  
CONTINUED - OVER

55 JUNE

**Memorandum to Mr. Gale**  
**RE: THURGOOD MARSHALL**  
**SOLICITOR GENERAL OF THE UNITED STATES**

**ACTION:**

Attached for approval is a letter to the Attorney General advising him that our files contain no additional pertinent information received concerning Marshall since the 1965 investigation.

✓

Q

CHS



b7C

126

June 13, 1967

PERSONAL

Honorable Thurgood Marshall  
The Solicitor General  
U. S. Department of Justice  
Washington, D. C.

Dear Mr. Marshall:

My associates join me in extending con-  
gratulations upon your being named by the President  
today to be an Associate Justice of the United States  
Supreme Court. You have our very best wishes on this  
occasion.

Sincerely yours,

REC 5

J. Edgar Hoover

JUN 15 1967

NOTE: Marshall has been critical of the FBI in connection with civil rights matters. Marshall was investigated in 1961 when he was being considered for appointment as a United States Circuit Judge and in 1965 in connection with his appointment as Solicitor General. The White House and the Attorney General were advised of his criticism in July, 1965. Marshall had alleged in his criticism that the FBI's record in cases involving Negroes was notably one-sided and implied that we did not exert full effort to solve them. On one occasion when he charged misconduct on the part of Special Agents in the FBI while serving as a Judge, he was requested to supply details of the alleged misconduct so that immediate administrative inquiry could be made, and he never answered the request. Under Marshall's administration of the Solicitor General's office, the Department's present program concerning disclosure of FBI wire taps was promulgated.

Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Wick \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

51 JUN 20 1967

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Gale *gfc*  
FROM : W. V. Cleveland *WVC*  
SUBJECT: THURGOOD MARSHALL  
SOLICITOR GENERAL OF THE UNITED STATES

DATE: 6-13-67 *b7c*

*WVC*  
Mr. Tolson \_\_\_\_\_  
Mr. DeLoach \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Bishop \_\_\_\_\_  
Mr. Casper \_\_\_\_\_  
Mr. Callahan \_\_\_\_\_  
Mr. Conrad \_\_\_\_\_  
Mr. Felt \_\_\_\_\_  
Mr. Gale \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Sullivan \_\_\_\_\_  
Mr. Tavel \_\_\_\_\_  
Mr. Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

This morning Mr. John T. Duffner, Executive Assistant, Office of the Deputy Attorney General, requested an expedite name check concerning Thurgood Marshall, Solicitor General of the United States. He advised on a very confidential basis that Marshall was being considered as a replacement for Tom Clark on the Supreme Court of the United States. *63*

We investigated Marshall in 1961 when he was being considered for appointment as a United States Circuit Judge and in 1965 in connection with his appointment as Solicitor General.

Attached are copies of memoranda setting forth the results of the previous investigations. Also attached is a copy of a letter furnished to the White House and the Attorney General in 1965 advising of Marshall's past criticism of the Bureau in connection with civil rights matters.

Bureau files are being searched for any pertinent information received concerning Marshall since the 1965 investigation.

## ACTION:

For information.

## Enclosures

- 1 - Mr. DeLoach
- 1 - Mr. Wick
- 1 - Mr. Gale
- 1 - Mr. Cleveland

*gfc* *77-88227-1*  
NOT RECORDED

14 JUN 20 1967

57 JUN 22 1967

XXXXXX  
XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

7 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

## Section 552

## Section 552a

☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☐ (b)(7)(C)☐ (k)(1)☐ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

- ☐ Information pertained only to a third party with no reference to the subject of your request.
- ☐ Information pertained only to a third party. The subject of your request is listed in the title only.
- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

☒ Pages were not considered for release as they are duplicative of Serials 104, 118 & 119

☐ For your information: \_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:

77-88227-151, enclosures

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FBI/DOJ

126

XXXXXX  
XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☐ (b)(7)(C)☐ (k)(1)☐ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

- ☐ Information pertained only to a third party with no reference to the subject of your request.
- ☐ Information pertained only to a third party. The subject of your request is listed in the title only.
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Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

Pages were not considered for release as they are duplicative of \_\_\_\_\_

- ☐ For your information: \_\_\_\_\_

- ☒ The following number is to be used for reference regarding these pages:

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FBI/DOJ

UNITED STATES GOVERNMENT

*Memorandum*

TO : The Director

DATE: 6 12 67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page 2143. The Senate received the following Executive nomination: Thurgood Marshall, of New York, to be an Associate Justice of the Supreme Court of the United States.

In the original of a memorandum captioned and dated as above, the Congressional Record for 6 3 - 67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

59 JUL 7 1967  
49

77-2222-1  
NOT RECORDED

184 JUN 27 1967

Original filed in  
67C



UNITED STATES GOVERNMENT

*Memorandum*

TO : The Director

DATE: July 12, 1967

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages S9357-S9359. Senator Yarborough, (D) Texas, spoke concerning the retirement of Supreme Court Justice Tom Clark and stated "our regret at Justice Tom Clark's leaving the Supreme Court is only partly mitigated by our pleasure in having Ramsey Clark as Attorney General and Justice Thurgood Marshall on the Court." Mr. Yarborough placed in the Record the remarks of the Honorable Orison Marden, president of the American Bar Association, made at the dinner honoring Justice Clark on June 12, 1967.

77-84007-155  
NOT RECORDED  
JUL 18 1967

2  
JUL 26 1967  
1

In the original of a memorandum captioned and dated as above, the Congressional Record for 7-11-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

82

767

The Attorney General

July 13, 1967

Director, FBI

EDMUND BURKE TORBERT C. LIND  
UNITED STATES SENATE  
WASHINGTON, D. C.

b7C

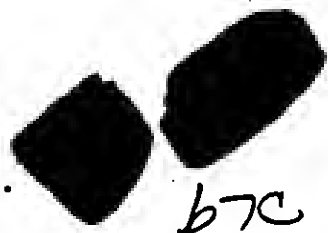
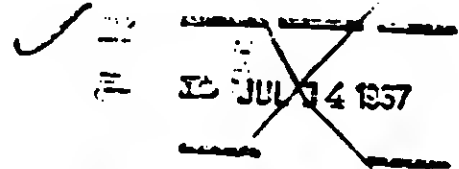
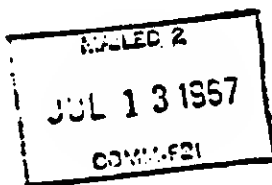
Enclosed are a copy of a letter I received from Senator Dyrd  
and a copy of my reply to him.

Thurston D Marshall

Enclosures (2)

- 1 - The Deputy Attorney General - Enclosures (1)
- 1 - Mr. Wick - Enclosures (2)
- 1 - Mr. DeLoach - Enclosures (2)

[REDACTED] (6)



77-88227-154  
JUL 14 1967

79 JUL 18 1967

MAIL ROOM ☐ TELETYPE UNIT ☐

ORIGINAL FILED IN 67-102432-29

REC-40

July 12, 1967

77-172-7-156

ST-104

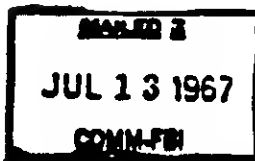
Honorable Robert C. Byrd  
United States Senate  
Washington, D. C. 20510

My dear Senator:

With respect to the inquiry contained in your letter of July 10th, I have referred a copy of your communication to the Attorney General for whatever assistance he may be able to render since data in our files must be maintained as confidential in accordance with regulations of the Department of Justice. I regret I am unable to be of help in this instance.

Sincerely yours,

J. Edgar Hoover



- 1 - Mr. Wick (sent with memo to AG of same date)
- 1 - Mr. DeLoach (sent with memo to AG of same date)

NOTE: Senator Byrd is on the Special Correspondents' List. Thurgood Marshall is, of course, well known to the Bureau.

Tolson  
DeLoach  
Mohr  
Wick  
Cooper  
Callahan  
Conrad  
Felt  
Gale  
Rosen  
Sullivan  
Tavel  
Trotter  
Tele. Room  
Holmes  
Gandy

57 JUL 23 1967

TELETYPE UNIT ☐

REC'D MICK

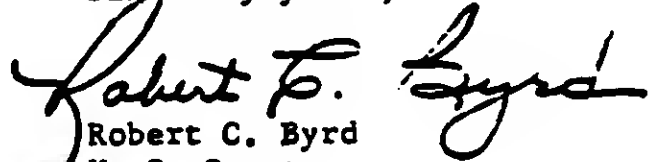
b7C



The Honorable J. Edgar Hoover  
July 10, 1967  
Page 2

Would you please inform me as to the truth of the foregoing allegations. Any information will be deeply appreciated inasmuch as I would not want to support Mr. Marshall's nomination to the Supreme Court if the above statements have substance.

Sincerely yours,

  
Robert C. Byrd  
U. S. Senator

RCB:erl

1070

MAILED

AUG 14 1967

NAME CHECK

August 14, 1967

**THURGOOD MARSHALL**  
Born: July 2, 1908  
Baltimore, Maryland

An applicant-type investigation was conducted in 1961 and additional inquiries were conducted in 1965 concerning the captioned individual. The results of these investigations were furnished to the White House.

For detailed results of these investigations, you are referred to [REDACTED] at the White House. (77-88227)

Your attention is directed to a memorandum, possibly relating to the subject of your inquiry, which was furnished to the Department of State on November 18, 1954, (62-86660-5)

Original and 1 - State Dept.  
Request received - August 7, 1967

(4) [REDACTED]

NOTE: Enpl939, Marshall registered with the American Labor Party and in 1944, was listed as a national committeeman of the International Juridicial Association. In 1942, he wrote a report which was adopted by the National Executive Board of the National Lawyers Guild. In 1947, he was speaker on a program sponsored by the Progressive Citizens of America. All of the above-mentioned organizations have been cited by the HCUA. State Dept. name check request indicated reason for request "Candidate for American Specialists Program." 77-28227-15

EX 106

REC-48

19 AUG 14 1967

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI, and is loaned to your agency; it and its contents are not to be distributed outside your agency. This reply is result of check of FBI investigative files. To check arrest records, request must be submitted to FBI Identification Division. Fingerprints are necessary for positive check.

31 AUG 18 1967

b7C

November 22, 1967

REC-37 77-88227-158

Honorable William B. Spong, Jr.  
United States Senate  
Washington, D. C. 20510

My dear Senator:

Your communication and its enclosures were received on November 17th. While I certainly wish it were possible for me to be of service, I am unable to comment as you desire since data in our files must be maintained as confidential pursuant to regulations of the Department of Justice. You may wish to communicate with the Attorney General for any assistance he may be able to render in connection with your inquiry.

Inasmuch as a great deal of the information set forth in the editorials you enclosed is attributed to the House Committee on Un-American Activities, you may want to contact Mr. Francis J. McNamara, Director of that Committee, for any further data he may be able to provide.

The enclosures to your communication are being returned in accordance with your request.

Sincerely yours,

J. Edgar Hoover

REC-D B12W06  
E B I

Enclosures (3)

NOTE: Bufiles disclose we have enjoyed limited cordial relations with Senator Spong. Enclosed with his communication were three news clippings which highlight some of the previous activity of Supreme Court Associate Justice Thurgood Marshall. Marshall is, of course, well known to the Bureau.

MAIL ROOM ☐ TELETYPE UNIT ☐

MAILED 12  
NOV 22 1967  
COMM-FBI

- Tolson
- DeLoach
- Mohr
- Bishop
- Casper
- Callahan
- Conrad
- Felt
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele. Room
- Holmes
- Gandy

62 DEC 1 1967

a T

REC-D B12W06

137

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

b7c

United States Senate

thurgood MARR-HILL

Respectfully referred to  
Honorable J. Edgar Hoover, Director  
Federal Bureau of Investigation

for such consideration as the communication  
herewith submitted may warrant, and for a report  
thereon, in duplicate to accompany return of  
inclosure.

By direction of  
*W.B. Spong, Jr.*  
William B. Spong, Jr.

U. S. S.

EXP. PROC.

b7c

REC 39

77-88227-15

11 NOV 27 1967

CORRECTION

ack: 11-21-67

34 ENCL.

173



# The News

Published by The Lynchburg News, Inc., Lynchburg, Virginia

Formerly Carter Glass & Sons, Publishers

PHILIP LIGHTFOOT SCRUGGS, Editor F. JAMES MURDOCK, Associate Editor  
THOMAS B. GLASS, Executive Editor DEL P. SMITH, Managing Editor

Tuesday, August 22, 1961

## The Distorters

"Wait and see what I do when I get on the Supreme Court. I will send every 'Whitey' to jail I can."

—Thurgood Marshall, recently named by President Johnson to the U.S. Supreme Court.

The preceding remark by the Negro lawyer who undoubtedly will be approved by the Senate to fill retiring Justice Tom Clark's seat on the highest court in the land, was quoted by the Washington Observer newsletter in a report revealing several of Marshall's Communist-front connections.

The newsletter pointed out that a special report of the House Committee on Un-American Activities shows that Marshall was affiliated with the American League Against War and Fascism—an organization launched by the American Communist Party in the early 1930s. Another Communist-front connection cited by the Observer: "Marshall also was a member of the International Juridical Association, a front and offshoot of the International Labor Defense, the legal arm of the American Communist Party."

Marshall also was named as a member of the left-wing National Lawyers Guild, and as co-signer of a telegram to Congress demanding that the notorious Hollywood writers not be cited for contempt for refusing to testify before the HCUA. The newsletter stated that Ma-

shall's remark about sending "every 'Whitey' to jail I can" was made in a closed-door Negro "leadership" meeting at Howard University in October, 1961.

Newweek magazine of September 18, 1961, quotes Marshall as saying: "We've negotiated too quietly and too reasonably for too long. We've made up our minds to harass the legal hell out of the school boards. From here on out, we're going to be unreasonable, undecent and un-everything else."

Including un-American.

This is the man the Senate is expected to confirm as a Justice of the U.S. Supreme Court, where he will sit in judgment on "Whitey" and on cases involving "civil rights"—a field in which, for 25 years as an NAACP lawyer, he represented one side.

On the court he will find a clique of "soul brothers"—Chief Justice Warren, Fortas, Douglas and Brennan. All five have personal political and sociological ideologies which run counter to the philosophy of the Constitution—the Constitution each takes an oath to uphold! The opinions of these five "liberals" will continue to distort the shape of American society, institutions and culture for years to come. Thus are we ruled by persons who hold us in contempt and thereby do we demean ourselves.

77-8007-  
ENCLOSURE

## Marshall's Pro-Red Record

Although President Johnson picked Thurgood Marshall for the U.S. Supreme Court because he was a Negro, Marshall had something else going for him.

He has a long background of Communist-front affiliations and activities. Such a background never did anybody harm in the Johnson Administration. Fact is, it seems to help.

Congressman Jon D. Waggonner Jr., D-La., pointed to Marshall's pre-Communist background two years ago when the President nominated Marshall as Solicitor General.

The information, Waggonner explained, came from the public records, files and publications of the House Committee on Un-American Activities.

"This material," Waggonner said, "reveals that Thurgood Marshall was a member of the national committee of the International Juridical Association. The special Committee on Un-American Activities cited the International Juridical Association as 'a Communist front and an offshoot of the International Labor Defense' in Report No. 1311, dated March 29, 1944. Also in a report on the National Lawyers Guild, prepared and published September 17, 1950, by the Committee on Un-American Activities, the International Juridical Association was cited as an organization which 'actively defended Communists and consistently followed the Communist Party line.'

"A list of officers of the National Lawyers Guild, as of December 1949 which is printed in the committee's report on the National Lawyers Guild on page 18, contains the name of Thurgood Marshall, New York City, among the members of the executive board. He was shown to be an associate editor of the Lawyers Guild Review in the issue of May-June 1948 on Page 422.

"In the Washington Star, on Page A-22 of the February 8, 1947, issue and on Page A-42 of the February 12, 1947, issue of that same paper, a story shows that Marshall criticized the loyalty program in a public forum held under the auspices of the National Lawyers Guild here in Washington.

"As you know, the

Lawyers Guild was cited by the special Committee on Un-American Activities as a Communist front in Report No. 1311 of March 29, 1944, on Page 149. In the committee's report on the organization, released in 1950, the Guild was cited as a Communist front which 'is the foremost legal bulwark of the Communist Party, its front organizations and controlled unions' and which 'since its inception has never failed to rally to the legal defense of the Communist Party individual members thereof, including known espionage agents.'

"The Communist Daily Worker of November 24, 1947, on Page 4, reported that Thurgood Marshall was among a group of attorneys who sent a telegram to New York Congressmen asking them to oppose the contempt citations in the case of the so-called Hollywood 10.

"As I say, this is at least a portion of the Communist front activity of the man the President has nominated to be Solicitor General of the United States. It is probable that in search of the files of the FBI, the Attorney General's office, the Senate Internal Security Subcommittee and an exhaustive search of the records of our own Committee on Un-American Activities would reveal more facts of this same nature. Such a search should be undertaken and the results made known to the people before this nomination is voted upon in the Senate."

Such a search was never made, and won't be made now, either, before Marshall's confirmation in the Supreme Court. A fondness for Communism seems to be one of the unwritten requirements for appointment to the highest court in the land. You can understand why the Communists rarely lose a case that comes before this court, and the court sees to it that it rules on most Communist cases.

The U.S. Supreme Court, as it is constituted today, is the greatest danger to the American people and the American form of government. The court is not infrequently in no one's hands but the hands of the Communists. For, although the Constitution gives the Congress the power to check the court's excesses, the Congress

can't have the stomach for it.

LYNCHBURG KEYS - 6/22/67

88227

ENCLOSURE

# 'The Man' —His Record

Manchester (N. H.) Union Leader  
6/17/67

The author of the following guest editorial is John Latham Jr., former editor of our Vermont Sunday News and now with the Coral Gables Times in Coral Gables, Fla.—EDITIONS.

FOR SOME YEARS he was a member of the board of directors of the National Lawyers Guild but resigned from that organization in 1953 during what he termed "the Communist trial."

His resignation came some five years after the organization had officially been designated a Communist front by a special House Committee on Un-American Activities.

In 1957 as head of an organization's Legal Defense and Educational Fund, which the court found so "meshed, interrelated, and intertwined" with the parent organization as to be its "alter ego," he was either by constructive or constructive knowledge responsible for the organization's actions which the Court stated in fact included: unlawful practice of law in Texas, soliciting and fomenting litigation, operating in Texas without a license required by Texas law for foreign corporations doing business in that state, and violating the Canons of Ethics of the American Bar Association.

This same individual, in this same Texas trial in 1957 in the District Court of Smith County at the time of the presentation of the request to examine the books, documents and accounts of his organization, refused to permit the authorized representative of the Attorney General to examine certain letters and correspondence. While sitting at his desk he mutilated such documents by cutting signatures and addresses and the delivering the mutilated copies to the authorized party.

In July of 1953, this man wrote to one Dr. Alfred H. Kelly, professor of history at Wayne University in Detroit and offered him \$500 to help prepare a research paper, to be presented to the U.S. Supreme Court, on the intent of the framers of the 14th Amendment respecting the constitutionality of racially segregated schools.

77 - 88227-1

ENCLOSURE

On Dec. 23, 1951, eight years later, Dr. Kelly spoke to the American Historical Association of this research: "Never has there been, for the at least, a more dramatic illustration of the difference in function, technique, and culture between lawyer and historian. It is not that we were engaged in formulating facts there was nothing as crude and naive as that. But we were using facts, embellishing facts, leaning down on facts, sliding off facts, quietly ignoring facts, and above all interpreting facts in a way to do what he said we had to do — 'get by those boys down there.'"

Dr. Kelly spoke of another colloquy that he had had with The Man: "Alfred, you are one of us here and I like you. But I want you to understand that when us colored folks takes over, every time a white man draws a breath, he'll have to pay a fine."

In the Sept. 15, 1951 issue of Newsweek he spoke with the same dedication to his cause: "We're negotiated too quietly and too reasonably for too long. We've made up our minds to hammer the legal hell out of the school system. From here on out, we're going to be unreasonable, undecent, and uneverything else."

It is not fituous to demand that an individual of only the most exemplary conduct be allowed to sit on the bench of this nation's highest tribunal. And it is for this reason that both of Florida's senators, George Smathers as a member of the Judicial Committee now considering The Man's qualifications and Spessard Holland should cast a nay vote on the appointment of Thurgood Marshall to the United States Supreme Court.

FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
COMMUNICATION SECTION

SEP 23 1968

TELETYPE

FBI WASH DC

FBI ATLANTA

221PM URGENT 9-23-68

TO DIRECTOR

FROM ATLANTA 100-BEV

U. S. SUPREME COURT JUSTICE THURGOOD MARSHALL, SPEAKING  
ENGAGEMENT AT UNIVERSITY OF GEORGIA, SEPTEMBER TWENTYEIGHT,  
NINETEEN SIXTYEIGHT. INTERNAL SECURITY (INFORMATION  
CONCERNING).

RE TELEPHONE CALL FROM INSPECTOR JOE SIZOO TO ASAC,  
ATLANTA, SEPTEMBER TWENTYTTHREE, SIXTYEIGHT.

U. S. SUPREME COURT JUSTICE THURGOOD MARSHALL IS  
SCHEDULED TO ADDRESS A GROUP OF GEORGIA STATE LEGISLATORS  
AT A LUNCHEON TO BE HELD AT THE UNIVERSITY OF GEORGIA COLISEUM  
IN ATHENS, GEORGIA, BETWEEN TEN AM AND ONE PM SEPTEMBER  
TWENTYEIGHT, NINETEEN SIXTYEIGHT, PRIOR TO THE FOOTBALL GAME  
TO BE HELD BETWEEN THE UNIVERSITY OF GEORGIA AND CLENSON  
UNIVERSITY. SOURCES AT THE UNIVERSITY OF GA. AS WELL AS  
SOURCES FROM OTHER INSTITUTIONS, (INCLUDING THOSE IN THE  
SAVANNAH DIVISION, HAVE NO KNOWLEDGE OF ANY PLANS BEING MADE

END PAGE ONE 3 1968  
327

15 SEP 27

b7C

5

PAGE TWO

BY AN STUDENT GROUP TO DEMONSTRATE AGAINST MARSHALL IN CONNECTION WITH HIS VISIT.

AT THE END OF THE SCHOOL YEAR IN JUNE, NINETEEN SIXTYEIGHT, A CHAPTER OF STUDENTS FOR A DEMOCRATIC SOCIETY (SDS) EXISTED AT THE UNIVERSITY OF GEORGIA IN ATHENS, GEORGIA. THIS CHAPTER HAD FIFTEEN MEMBERS AT ITS PEAK; HOWEVER, FOUR OF THESE MEMBERS WERE SUSPENDED AT THE END OF THE SCHOOL YEAR FOR PARTICIPATING IN SIT-IN DEMONSTRATIONS IN THE ACADEMIC BUILDING AT THE UNIVERSITY OF GEORGIA IN APRIL, SIXTYEIGHT.

SOURCES AT THE UNIVERSITY OF GEORGIA STATE THE POSSIBILITY EXISTS THAT SOME OF THE SDS MEMBERS MAY POSSIBLY PICKET MARSHALL; HOWEVER, THESE INDIVIDUALS ARE MORE CONCERNED AT THE PRESENT TIME WITH PROTESTING THEIR SUSPENSION BY THE UNIVERSITY OF GEORGIA. STUDENTS AT THE UNIVERSITY OF GEORGIA WILL BE REGISTERING FOR FALL CLASSES UP THROUGH SEPTEMBER TWENTYEIGHT, SIXTYEIGHT; THEREFORE, THEY HAVE HAD LITTLE OPPORTUNITY TO ORGANIZE ANY ACTIVITY AS OF THE PRESENT TIME.

END PAGE TWO

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**PAGE THREE**

**SOURCES AT THE UNIVERSITY OF GEORGIA AS WELL AS THOSE  
CONNECTED WITH OTHER COLLEGES WILL FOLLOW THIS MATTER  
CLOSELY AND THE BUREAU WILL BE ADVISED IMMEDIATELY UPON  
RECEIPT OF ANY INFORMATION INDICATING THE POSSIBILITY OF  
ANY DEMONSTRATION AGAINST MARSHALL.**

**END**

**LPT**

**FBI WASH DC**

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UNITED STATES GOVERNMENT

# Memorandum

TO : MR. TOLSON

DATE: 9/23/68

FROM : C. D. DeLoach *CD*

cc Mr. DeLoach  
Mr. Sullivan

SUBJECT: HARASSMENT OF  
SUPREME COURT JUSTICE  
THURGOOD MARSHALL,  
AT UNIVERSITY OF WISCONSIN -

POTENTIAL FOR HARASSMENT  
AT UNIVERSITY OF GEORGIA

Justice Thurgood Marshall called at 9:40 a.m., today. He stated he was somewhat of a "practicing coward" and that he had been deliberately harassed at the University of Wisconsin while attempting to make an appearance there over the past weekend. He stated the demonstrators were representatives of the Black Panther Party, as well as a number of individuals who were anti-administration with respect to Vietnam. He mentioned that there were not over one dozen representatives of each group; however, they were vociferous and very active in their harassment. He indicated he became somewhat afraid for his safety.

The Justice told me that this weekend he will make an appearance at the University of Georgia, Athens, Georgia, and that he is even more concerned about his safety there. He asked if the FBI would be kind enough to "size up the situation" there in an attempt to ascertain if he can expect similar harassment at that location.

I told the Justice we would check files and see what we could find out, and I would be back in touch with him.

## ACTION:

It is suggested the Domestic Intelligence Division check with both the Atlanta and Savannah Offices to determine if there is any potential harassment in connection with the scheduled appearance of Justice Marshall at the University of Georgia this weekend. We can afterwards give the Justice a call relative to any facts turned up. The Justice is well aware of the fact that the FBI cannot afford him protection.

CDD: (S) *CD*

*Handled with [redacted] 9/23/68  
Keith [redacted] Atlanta  
will Antel [redacted] 9/23*

EX-101

REC-52

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Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
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Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
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UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI,

DATE: 11/25/68

FROM : SAC, ATLANTA (100-7530) (C)

*TH*  
SUBJECT: U. S. SUPREME COURT JUSTICE  
THURGOOD MARSHALL,  
SPEAKING ENGAGEMENT AT THE  
UNIVERSITY OF GEORGIA,  
SEPTEMBER 27, 1968,  
INTERNAL SECURITY (INFORMATION  
CONCERNING)

Re Atlanta teletype to Bureau 9/23/68.

PSI, [REDACTED] Athens, Georgia, advised that the appearance of U. S. Supreme Court Justice THURGOOD MARSHALL at the University of Georgia Law School on the afternoon of 9/27/68, was without any incident insofar as demonstrated by any groups against MARSHALL speaking at the University of Georgia.

2 - Bureau  
1 - Atlanta  
[REDACTED]

(3)

EX-103  
REC-15

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Domestic Intelligence Division

INFORMATIVE NOTE

Date 9/24/68

Justice Thurgood Marshall advised on 9/23/68 that he is scheduled to speak at the University of Georgia this coming weekend and would like to know whether any demonstration activity is being planned by dissident groups during his appearance.

Attached teletype indicates that at present time a controversy exists at University of Georgia regarding suspension of SDS members and possibility exists that some SDS members may picket Marshall. Sources advised, however, that SDS not organized on University of Georgia campus at present time and no definite plans to picket Marshall known to sources.

Information in attached teletype will be telephonically furnished to Justice Marshall.

[REDACTED]

*Handwritten:*  
N  
Inform. to be furnished to Justice Marshall  
9/25/68 -  
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